IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ILLINOIS

CENTRAL LABORERS' PENSION, WELFARE AND ANNUITY FUNDS,

Plaintiffs,

v.

R. RANDLE CONSTRUCTION, INC., and RON RANDLE, individually,

Defendants.

Case No. 08-cv-447-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is Plaintiffs' Notice of Voluntary Dismissal, Without Prejudice (Doc. 7). As Defendants have not yet filed an Answer or summary judgment motion, Plaintiffs are entitled to a voluntary dismissal without a Court Order, pursuant to **FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)(A)(i)**. Accordingly, the Court hereby **ACKNOWLEDGES** Plaintiffs' voluntary dismissal of its claims against Defendants in this matter. This case is hereby **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

Signed this 30th day of October, 2008.

/s/ DavidRHerndon

Chief Judge United States District Court