

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

TRUSTEES OF CENTRAL LABORERS')	
PENSION, WELFARE & ANNUITY FUNDS,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 10-1010-DRH/PMF
)	
L. D. BUSH CONSTRUCTION, INC.,)	
)	
Defendant.)	


ORDER

HERNDON, Chief Judge:

Before the Court is a motion for voluntary dismissal without prejudice (Doc. 17), filed by plaintiff pursuant to Federal Rule of Civil Procedure Rule 41(a)(1)(A)(i). As defendant has not yet filed an answer or motion for summary judgment, the Court hereby ACKNOWLEDGES the dismissal without prejudice. The Court will close the file.

IT IS SO ORDERED.

Signed this 11th day of May, 2011.

David R. Herndon  Digitally signed by
David R. Herndon
Date: 2011.05.11
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**Chief Judge
United States District Court**