

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 07-2233 RHK/RLE

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 KENNETH HERBST)
 AND DIANE HERBST,)
)
 Defendants.)

ORDER OF DISMISSAL

Based upon the stipulation of counsel and upon all the files, records and proceedings herein,

IT IS HEREBY ORDERED that the above-entitled action is dismissed with prejudice, each party bearing its own costs.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: 11/5/08

s/Richard H. Kyle
RICHARD H. KYLE
United States District Court Judge