

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

BNSF Railway Company

Plaintiff.

Civil 08-4768 (PAM/JSM)

v.

**ORDER OF DISMISSAL**

Ward Einess, et al.

Defendants.

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The court having been advised that the above case has been settled,

**IT IS ORDERED** that this action is hereby dismissed, without prejudice, the court reserving jurisdiction for sixty (60) days to permit any party to move to reopen the action, for good cause shown, or to submit and file a stipulated form of final judgment.

Dated: July   13  , 2009

s/Paul A. Magnuson

Paul A. Magnuson, Judge

United States District Court