

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

LaMar Gunnarson, Kay Gunnarson,
Gene Johnson, Mary Johnson, Catherine
Gempeler, Henry Gempeler, Mary Gempeler,
Marlowe Senske, Ron Tobkin, Greg Thurman,
and Phosco, LLC,

Civil No. 08-5095 (DWF/RLE)

Plaintiffs,

v.

ORDER

Federal Deposit Insurance Corporation as receiver
for First Integrity Bank, N.A.; K. Patrick Kruchten;
Bruce Carr; Marco Cat, L.L.P.; TCK, L.L.P.; Marco
Associates, L.L.P.; and Olde Marco Suites, L.P.,
d/b/a Olde Marco Inn & Suites,

Defendants.

John C. Ekman, Esq., and Randall J. Pattee, Esq., Lindquist & Vennum PLLP, counsel
for Plaintiffs.

Cynthia P. Arends, Esq., and Kevin D. Hofman, Esq., Hallelund Lewis Nilan & Johnson
PA, counsel for Defendant Federal Deposit Insurance Corporation; K. Patrick Kruchten,
Pro Se, Defendant; and Bruce Carr, *Pro Se*, Defendant.

Based upon the Report and Recommendation of Chief United States Magistrate
Judge Raymond L. Erickson, and after an independent review of the files, records and
proceedings in the above-entitled matter,

IT IS HEREBY ORDERED that:

This action is **DISMISSED** as to the Defendants Marco Associates, L.L.P. and Olde Marco Suites, L.P., for failure to comply with this Court's Order of March 10, 2009, and for lack of prosecution.

Dated: May 13, 2009

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court