

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

The Operating Engineers Local #49 Health and Welfare Fund and The Central Pension Fund of the International Union of Operating Engineers and Participating Employers, Local #49 International Union of Operating Engineers and Associated General Contractors of Minnesota Apprenticeship and Training Program and their Trustees,

Civil No. 10-4936 (RHK/AJB)

ORDER FOR DISMISSAL

Plaintiffs,

vs.

Mann Valley Excavating, Inc. and Erik P. Paulson, individually,

Defendants.

Pursuant to the Notice of Voluntary Dismissal (Doc. No. 9), IT IS ORDERED that this matter is **DISMISSED WITHOUT PREJUDICE** and without costs to either party.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 14, 2011

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