

IT IS ORDERED that:

1. On or before October 17, 2008, the plaintiffs shall either file a notice of dismissal with respect to the non-appearing defendants, Briggs & Stratton and Murray, Inc., or else a statement that they intend to prosecute the action against these defendants.
2. If the plaintiffs intend to prosecute the action against the non-appearing defendants, they shall also file a return of service for each defendant no later than November 3, 2008. Absent such filing(s), the action may be dismissed without prejudice as against the non-appearing defendant(s), without further notice.
3. The court will withhold entry of judgment on the joint stipulation ([filing 11](#)) until after the plaintiffs have filed the notice or statement required by paragraph 1 above, or until after the time allowed for such filing has expired. If no filing is made by the plaintiffs within the time allowed, the joint stipulation for dismissal with prejudice will be construed to apply only to the two defendants that signed the document, Cequent Consumer Products, Inc., and Highland Group, Inc.

October 2, 2008.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge