## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

SHARON KAUFMAN,	)
Plaintiff,	)
V.	) )
CVS PHARMACY, Inc., and DAVACO, Inc.,	) )
Defendants.	)

4:09CV3087

MEMORANDUM AND ORDER

According to a motion jointly filed by defendant CVS Pharmacy, Inc. and defendant Davaco, Inc., (filing no. 24), Davaco has agreed to defend and indemnify CVS for the plaintiffs claims in this lawsuit. The defendants have therefore filed a joint motion requesting an order: 1) allowing CVS' counsel of record, Steven D. Davidson, Jennifer D. Tricker, and Baird Holm LLP, to withdraw; 2) entering the appearance of David A. Dudley and the law firm of Baylor, Evnen, Curtiss, Grimit & Witt LLP as counsel for both Davaco and CVS; and 3) dismissing CVS' cross-claims against Davaco in their entirety. Counsel for the plaintiff takes no position on defendants' motion. The motion will be granted.

IT IS ORDERED that defendants' motion, (filing no. 24), is granted, and

- 1) Steven D. Davidson, Jennifer D. Tricker, and Baird Holm LLP are hereby withdrawn as counsel for defendant CVS Pharmacy, Inc.
- 2) David A. Dudley, and Baylor, Evnen, Curtiss, Grimit & Witt LLP are counsel of record for Davaco, Inc. and CVS Pharmacy, Inc.
- 3) The cross-claims filed by defendant CVS Pharmacy, Inc. against Davaco, Inc. are dismissed without prejudice.

August 14, 2009.

BY THE COURT: Richard G. Kopf United States District Judge