

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

SHIRLEY L. PHELPS-ROPER, ) CASE NO. 4:09CV3268  
Plaintiff, )  
v. ) ORDER  
DAVE HEINEMAN, et al., )  
Defendants. )

This matter is before the Court on the parties' Joint Stipulation for Dismissal with Prejudice (Filing No. 117). The stipulation complies with the requirements of Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and the Court concludes that it should be approved. Each party will bear its own costs and attorney fees. Accordingly,

**IT IS ORDERED:**

1. The parties' Joint Stipulation for Dismissal (Filing No. 117) is approved;
2. All claims asserted by Plaintiff Shirley L. Phelps-Roper against Defendants Anthony McPhillips and Steven M. Curry are dismissed with prejudice; and
3. Defendants McPhillips and Curry will pay their own costs, expenses and attorney fees; and Plaintiff Phelps-Roper will bear her own costs, expenses and attorney fees as to Defendants McPhillips and Curry.

DATED this 9<sup>th</sup> day of July, 2010.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge