

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

CITY OF LINCOLN, NEBRASKA,)
 A municipal corporation,)
)
 Plaintiff,)
)
 vs.)
)
 WINDSTREAM NEBRASKA, INC.,)
)
 Defendant.)

Case No. 4:10-CV-3030

**ORDER TO DISMISS
WITH PREJUDICE**

Pursuant to the parties' Stipulation to Dismiss with Prejudice and Fed.R.Civ.P. 41(a),

IT IS ORDERED:

The Stipulation is granted. The above-captioned matter is dismissed with prejudice with each party to bear its own costs.

DATED: October 17, 2011.

BY THE COURT:

s/ Richard G. Kopf, U.S. District Judge