

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

IGOR KOZLOV,

Plaintiff,

vs.

**ASSOCIATED WHOLESALE GROCERS, INC.,
A Kansas Corporation; and PAMELA SCOTT,
Personal Representative of the Estate of
Michael E. Scott, Deceased;**

Defendants.

ANDREI TCHIKOBAVA,

Plaintiff,

vs.

**ASSOCIATED WHOLESALE GROCERS, INC.,
A Kansas Corporation; PAMELA SCOTT,
Personal Representative of the Estate of
Michael E. Scott, Deceased; and ALBATROSS
EXPRESS, LLC;**

Defendants.

**PAMELA SCOTT, Personal Representative of
the Estate of Michael E. Scott, Deceased,**

Plaintiff,

vs.

**IGOR KOZLOV, ALBATROSS EXPRESS, LLC,
and UNICK, LLC;**

Defendants.

**MEMORANDUM
AND ORDER**

CASE NO. 4:10CV3211

LEAD CASE

CASE NO. 4: 10CV3212

MEMBER CASE

CASE NO. 8: 10CV3191

MEMBER CASE

This matter is before the Court on the Joint Motion for Leave to Dismiss the Estate of [sic] Pamela Scott, Personal Representative of Estate of Michael Scott ("Joint Motion") (Filing No. 448 in Case No. 4:10-cv-3211; Filing No. 464 in Case No. 8:10-cv-

3191; Filing No. 449 in Case No. 4:10-cv-3212) filed by Igor Kozlov, Andrei Tchikobava, and Albatross Express, LLC.

The moving parties claim that dismissal of Pamela Scott, personal representative of the estate of Michael E. Scott (the “Estate”), is proper under Federal Rule of Civil Procedure 41. The moving parties have represented that the Estate’s claim has been settled. (Filing No. 448 at ¶ 4.) Under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), parties may voluntarily dismiss claims by filing “a stipulation of dismissal signed by all parties who have appeared.” The Joint Motion is signed by Andrei Tchikobava, Igor Kozlov, Albatross Express, LLC, and UNICK, LLC; however, the Joint Motion is not signed by the Estate and Associated Wholesale Grocers, Inc.. On October 29, 2014, the Court issued an Order requiring that any party wishing to oppose the Joint Motion file a response before 4:00 p.m. on Monday, November 3, 2014. (Filing No. 467.) The time for opposing the Joint Motion has passed, and no party has filed an objection. Therefore, the Estate will be dismissed without prejudice from the above-captioned actions. Accordingly,

IT IS ORDERED:

1. The Joint Motion (Filing No. 448 in Case No. 4:10-cv-3211; Filing No. 464 in Case No. 8:10-cv-3191; Filing No. 449 in Case No. 4:10-cv-3212) is granted; and
2. Pamela Scott, Personal Representative of the Estate of Michael E. Scott, is dismissed without prejudice from the above-captioned actions.

Dated this 4th day of November, 2014.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge