IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

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) 4:11CV3093
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)
ORDER OF DISMISSAL OF
DEFENDANT KMART
) CORPORATION #7484
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)

Upon the plaintiff's Notice of Voluntary Dismissal of defendant Kmart Corporation #7484 (filing 21),

IT IS ORDERED:

- 1. Defendant Kmart Corporation #7484 is dismissed as a party to this action;
- 2. The Motion to Dismiss Named Defendant Kmart Corporation #7484 for Lack of Personal Jurisdiction (<u>filing 9</u>) is denied as moot;
- 3. Final judgment shall be withheld pending resolution of all remaining claims between the plaintiff and remaining defendants.

DATED this 12th day of August, 2011.

BY THE COURT:

Richard G. Kopf

United States District Judge