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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

DWAYNE KUDLACEK, Plaintiff, vs. FIRST NATIONAL BANK OF HOLDREGE, Defendant.	))))))))))	CASE NO. 8:05-CV-15 **ORDER AND JUDGMENT**

In accordance with the Judgment and Corrected Mandate of the United States Court of Appeals for the Eighth Circuit entered on July 11, 2008 and September 15, 2008, respectively, the Court hereby orders that the judgment in favor of Plaintiff Dwayne Kudlacek ("Plaintiff") against the Defendant entered on February 1, 2007 (Filing No. 407), and amended on April 11, 2007 (Filing No. 423) is hereby vacated and judgment is entered in favor of Defendant against Plaintiff, each party to pay their own costs.

Dated this 23rd day of September, 2008.

BY THE COURT:

s/ *Richard G. Kopf*
United States District Judge

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