

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

AMY PETERSEN,

Plaintiff,

v.

ORCHARD VILLAGE, LLC, ORCHARD
VILLAGE APARTMENTS, ORCHARD
VILLAGE APARTMENT HOMES, LLC,
a Nebraska Limited Liability
Company, MARINE BANK, a Federal
Savings Bank, NP DODGE
MANAGEMENT COMPANY, INC., and
JOHN DOES 1-10,

Defendants.

8:07CV300

ORDER OF DISMISSAL

This matter is before the Court on the parties’ Stipulation for Dismissal of Defendants NP Dodge Management Company, Inc., and Orchard Avenue Apartments, LLC. The Court notes that the Plaintiff’s action against Orchard Avenue Apartments, LLC, was dismissed by this Court in its Order granting Orchard Avenue Apartments, LLC’s Motion for Summary Judgment (Filing No. 58). The stipulation otherwise complies with the requirements of Fed. R. Civ. P. 41(a)(1)(ii), and the Court finds that it should be approved with respect to Defendant NP Dodge Management Company, Inc.

Accordingly,

IT IS ORDERED:

1. The parties’ Stipulation for Dismissal (Filing No. 61) is approved, in part, and the relief requested therein is granted, in part;
2. The Plaintiff’s action against Defendant, NP Dodge Management Company, Inc., is dismissed, with prejudice;

3. The Clerk of the Court is directed to strike the parties' Stipulation for Dismissal with Prejudice (Filing No. 59) for the reason that it is an incomplete document;
4. The parties will pay their own costs and attorneys' fees; and
5. The Clerk of the Court is directed to amend the caption in this case by terminating NP Dodge Management Company, Inc., as a defendant.

DATED this 26th day of January, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge