

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

07 SEP 10 PM 2:42

OFFICE OF THE CLERK

CHARLES W. ("BILL") BARBER. )  
Plaintiff, )  
v. )  
ALLIED OIL & SUPPLY, INC., )  
Defendant. )

8:07cv355

Case No. 07-00512-CV-W-HFS

## ORDER

Before the court is defendant's motion to dismiss due to improper venue, or, alternatively, to transfer. Defendant states that pursuant to an agreement entered into with plaintiff on January 27, 2005, the parties consented "to the exclusive jurisdiction of the Court located in Omaha, Nebraska," as to any matters arising from the agreement. Plaintiff has not opposed the motion.

Accordingly, it is hereby

ORDERED that, pursuant to 28 § 1406(a), defendant's motion to transfer (ECF doc. 4) is GRANTED. The clerk of the court is directed to transfer this case to the United States District Court in Omaha, Nebraska

/s/ Howard F. Sachs  
HOWARD F. SACHS  
UNITED STATES DISTRICT JUDGE

September 5, 2007

Kansas City, Missouri

## ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the United States District Court for the Western District of Missouri.

Date Filed: 9/5/07

P.L. BRUNE CLERK

By: Melanie Bland, Deputy Clerk