

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

GAREY E. SEGER and TWILA )  
 SEGER, Husband and Wife, )  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 ERNEST-SPENCER METALS, INC., )  
 TANK CONNECTION, LLC, )  
 ROUNDTABLE ENGINEERING )  
 SOLUTIONS, LLC, KIRK WELDING )  
 SUPPLY, INC., and BURNS & )  
 MCDONNELL ENGINEERING )  
 COMPANY, INC., )  
 )  
 Defendants, )  
 )  
 and )  
 )  
 LIBERTY MUTUAL INSURANCE, )  
 )  
 Intervenor. )

8:08CV75

ORDER OF DISMISSAL  
OF DEFENDANT ERNEST-SPENCER  
METALS, INC.

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Pursuant to a settlement agreement,  
 IT IS ORDERED that the plaintiffs' claims against defendant Ernest-Spencer Metals,  
 Inc. are hereby dismissed, with prejudice.  
 DATED this 6<sup>th</sup> day of October, 2009.

BY THE COURT:

s/ Joseph F. Bataillon  
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 Chief District Judge