

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

GAREY E. SEGER, et al.,)
)
Plaintiffs,)
)
v.)
)
TANK CONNECTION, LLC, et al.,)
)
Defendants.)

8:08CV75

ORDER

Upon notice of settlement given to the magistrate judge on August 30, 2010, by counsel for the plaintiffs,

IT IS ORDERED that:

1. **On or before September 27, 2010**, the parties shall electronically file a joint stipulation for dismissal (or other dispositive stipulation) and shall submit to Chief Judge Joseph F. Bataillon, at *bataillon@ned.uscourts.gov*, a draft order which will fully dispose of the case as to the defendant Roundtable Engineering Solutions, LLC. The stipulation shall comply with Fed. R. Civ. P. 41(a) and shall state whether the dismissal is with or without prejudice.

2. Absent compliance with this order, this case (including all counterclaims and the like) may be dismissed without further notice as to the relevant parties.

3. Upon the representation of settlement, the pretrial conference, previously scheduled for September 10, 2010, at 10:00 a.m., is cancelled, and a telephone conference between the plaintiffs and the intervenor Liberty Mutual Insurance will be held in its place with counsel for the plaintiffs initiating the call.

4. Absent reassertion by an interested party, the following motions are terminated upon the representation that this case is settled: the plaintiffs' motion for summary judgment (Filing No. 402), motion in limine (Filing No. 461); Roundtable Engineering Solutions, LLC's motion for summary judgment (Filing No. 376), and motions in limine (Filing Nos. 405, 422, 432, 439, and 443).

DATED this 31st day of August, 2010.

BY THE COURT:
s/ Thomas D. Thalken
United States Magistrate Judge