

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MATTHEW LIVERS,

Plaintiff,

vs.

EARL SCHENCK, Cass County Sheriff's
Investigator, et al.; WILLIAM LAMBERT,
Nebraska State Patrol Investigator;
CHARLES O'CALLAGHAN, Nebraska
State Patrol Investigator; SANDRA
WEYERS, Cass County Sheriff's Sergeant;
COUNTY OF CASS, Nebraska; DAVID
KOFOED, Commander of the Douglas
County Sheriff's Office Crime Scene
Investigation Division; TIM DUNNING,
Sheriff of Douglas County; and COUNTY
OF DOUGLAS, NEBRASKA,

Defendants.

8:08CV107

ORDER

This matter is before the court on the plaintiff's unopposed motion to dismiss with prejudice the plaintiff's claims against defendant Douglas County pursuant to a settlement, Filing No. [442](#). The parties represent to the court that the action has been settled with respect to defendant Douglas County. *See id.* Under the Federal Rules, an action may be dismissed at the plaintiff's request by court order on terms that the court considers proper. [Fed. R. Civ. P. 41\(a\)\(2\)](#). All of plaintiff's claims against all other defendants (including former Douglas County employee David Kofoed) will remain pending. The court finds the motion to dismiss should be granted. Accordingly,

IT IS ORDERED that the plaintiff's claims against defendant Douglas County are dismissed, with prejudice, each party to pay its own costs.

Dated this 11th day of June, 2013.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge