

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**WHITE CAP CONSTRUCTION)
SUPPLY, INC.; HD SUPPLY)
CONSTRUCTION SUPPLY, LTD.; and)
HD SUPPLY CONSTRUCTION)
SUPPLY GROUP INC.,)**

CASE NO. 8:08CV264

Plaintiffs,)

**ORDER AND
FINAL JUDGMENT**

v.)

**TIGHTON FASTENER AND SUPPLY)
CORPORATION d/b/a TIGHTON)
TOOLS & FASTENERS, INC.; MATT)
UPDIKE; MIKE NENEMAN; RICH)
WHITE; GREG ASCHE; JASON)
JARZYNSKA; and BILL SHUMAKER,)**

Defendants.)

This matter is before the Court on the parties' Joint Stipulation for Dismissal With Prejudice (Filing No. 214). The stipulation complies with the requirements of Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and the Court concludes that it should be approved. The parties will bear their own costs and attorney's fees. Accordingly,

IT IS ORDERED:

1. The parties' Joint Stipulation for Dismissal With Prejudice (Filing No. 214) is granted;
2. This action is dismissed with prejudice; and
3. The parties will pay their own costs and attorney's fees.

DATED this 24th day of January, 2011.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge