Taranurukkul v. Lincoln Financial Group Doc. 38

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHANCHAI TARANURUKKUL,	)	**CASE NO. 8:08CV276**
	)	
Plaintiff,	)	
	)	
v.	)	**ORDER OF DISMISSAL**
	)	
LINCOLN NATIONAL CORPORATION, Parent Company of and d/b/a in the State of Nebraska as Lincoln Financial Group, and JEFFERSON-PILOT CORPORATION, Parent Company of Jefferson-Pilot Financial, a group of companies merged with and n/k/a Lincoln National Corp.,	)	
	)	
Defendants.	)	

This matter is before the Court on the Plaintiff's Notice of Voluntary Dismissal (Filing No. 36). Plaintiff seeks to dismiss the action with prejudice. The Defendants have already answered the amended complaint. Therefore, I will treat the Notice of Dismissal as a motion to dismiss requiring an order of the Court. Counsel for the Defendants has informed the Court that Defendants have no objection to the Notice of Dismissal. The Court finds that the case should be dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(2). Accordingly,

IT IS ORDERED:

1. The Plaintiff's Notice of Voluntary Dismissal (Filing No. 36) shall be construed as a motion to dismiss, and as such, is granted;

2. The Complaint, Amended Complaints and all claims in this action are hereby dismissed with prejudice; and

3. The parties will pay their own costs and attorneys' fees.

DATED this 31st day of March, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge

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