

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ALLEN MILLER,)
)
 Plaintiff,)
)
 vs.)
)
 UNITED STATES OF AMERICA;)
 OTHER UNKNOWN MEDICAL)
 PERSONNEL FROM UNIVERSITY)
 OF NEBRASKA MEDICAL)
 CENTER; STATE OF NEBRASKA)
 d/b/a UNIVERSITY OF)
 NEBRASKA MEDICAL CENTER,)
)
 Defendants.)

8:08CV311

**MEMORANDUM
AND ORDER**

The parties have filed a Stipulation and Motion to Dismiss Parties Defendant and to Amend Caption of Case (filing [23](#)) requesting that all defendants except the United States of America be dismissed from this case without prejudice. The stipulation shall be granted.

Accordingly,

IT IS ORDERED:

1. The parties’ Stipulation and Motion to Dismiss Parties Defendant and to Amend Caption of Case (filing [23](#)) is granted;
2. Defendants State of Nebraska d/b/a University of Nebraska Medical Center and Other Unknown Medical Personnel from University of Nebraska Medical Center are dismissed from this action without prejudice, with each party to bear their own costs, complete record waived;

3. The caption of this case shall be amended to reflect that defendant United States of America is the sole remaining defendant in this case;

4. Final judgment dismissing defendants State of Nebraska d/b/a University of Nebraska Medical Center and Other Unknown Medical Personnel from University of Nebraska Medical Center shall be entered following resolution of Plaintiff's claims against the remaining defendant.

October 6, 2008.

BY THE COURT:
s/ Richard G. Kopf
United States District Judge