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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

STUART THOMAS, INC., d/b/a LENOX HOMES DEFINED BENEFIT PENSION PLAN,	)	**CASE NO. 8:08CV376**
Plaintiff,	)	**ORDER OF DISMISSAL**
v.	)	
UNITED STATES OF AMERICA,	)	
Defendant.	)	

This matter is before the Court on the Plaintiff's Notice of Dismissal filed pursuant to Fed. R. Civ. P. 41(a) dismissing its Petition to Quash Administrative Summons against Defendant United States of America, without prejudice.

IT IS ORDERED:

1. Plaintiff's Notice of Dismissal (Filing No. 5) is approved;
2. Plaintiff's Petition to Quash Administrative Summons (Filing No. 1) is dismissed without prejudice; and
3. The Clerk of Court is directed to terminate all pending motions in this case and to terminate this case for statistical purposes.

DATED this 31st day of October, 2008.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge

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