

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JANICE AUGUSTYN, Surviving Spouse and )  
Personal Representative of the Estate of )  
DAVID D. AUGUSTYN, Deceased, )

8:08CV405

Plaintiff, )

v. )

ORDER OF DISMISSAL

UNITED STATES OF AMERICA )

Defendant. )

This matter came on for determination upon the Stipulation and Motion of the parties that the case be dismissed with prejudice (Filing # 36), each party to bear their own costs, and complete record waived. The Court, being fully advised in the premises, finds that such an order should issue.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this case is dismissed with prejudice, each party to bear their own costs, and complete record waived.

DATED this 7<sup>th</sup> day of May, 2010.

BY THE COURT:

s/ Joseph F. Bataillon  
UNITED STATES DISTRICT JUDGE