

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNION PACIFIC RAILROAD COMPANY,

CASE NO: 8:08CV409

Plaintiff,

v.

ORDER DISMISSING COMPLAINT

BROTHERHOOD OF MAINTENANCE OF
WAY EMPLOYES DIVISION / IBT,

Defendant.

This matter is before the Court on Plaintiff Union Pacific Railroad Company's Notice of Voluntary Dismissal without prejudice filed pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) (Filing no. 12). The notice is in order and the Court finds that the case should be dismissed.

Accordingly, IT IS ORDERED that the Complaint is dismissed without prejudice.

Dated this 9th day of October, 2008.

For the Court:

s/ Joseph F. Bataillon
United States District Judge