Crete Carrier Corporation v. Winters Doc. 36

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CRETE CARRIER CORPORATION,	)	**CASE NO. 8:08CV500**
	)	
Plaintiff,	)	
	)	
v.	)	**ORDER**
	)	
TIMOTHY WINTERS, AMERICAN EQUITY SPECIALTY INSURANCE CO., and NORTHLAND INSURANCE CO.,	)	
	)	
Defendants.	)	

This matter is before the Court on the parties' Stipulated Motion to Dismiss American Equity Specialty Ins. Co. and Northland Ins. Co. without Prejudice (Filing No. 33). The stipulated motion to dismiss without prejudice complies with the requirements of Fed. R. Civ. P. 41(a)(1)(ii), and the Court finds that it should be approved. Accordingly,

IT IS ORDERED:

1. The Stipulated Motion to Dismiss American Equity Specialty Ins. Co. and Northland Ins. Co. without Prejudice (Filing No. 33) is approved, and the relief requested therein is granted;
2. The Plaintiff's action against Defendants, American Equity Specialty Insurance Co. and Northland Insurance Co., is dismissed without prejudice;
3. The Plaintiff's Motion to Dismiss American Equity Specialty Ins. Co. and Northland Ins. Co. without Prejudice (Filing No. 30) is denied as moot;
4. Defendants Northland Insurance Co. and American Equity Specialty Ins. Co.'s Motion to Dismiss and/or to Transfer and/or to Abstain (Filing No. 26) is denied as moot; and

Dockets.Justia.com

5. The Clerk of the Court is directed to amend the caption in this case by terminating American Equity Specialty Insurance. Co. and Northland Insurance Co., as defendants.

DATED this 8th day of January, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge