

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

KEITH PAYNE, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 ZACHRY ENGINEERING )  
 CORPORATION, f/k/a Utility )  
 Engineering Corporation, )  
 )  
 Defendant. )

8:10CV33

ORDER

Upon notice of settlement given to the magistrate judge on July 26, 2011, by William R. Johnson, counsel for the defendant,

**IT IS ORDERED that:**

1. **On or before August 25, 2011**, the parties shall electronically file a joint stipulation for dismissal (or other dispositive stipulation) and shall submit to Chief Judge Joseph F. Bataillon, at *bataillon@ned.uscourts.gov*, a draft order which will fully dispose of the case. If the case is being dismissed, the stipulation shall comply with Fed. R. Civ. P. 41(a) and shall state whether the dismissal is with or without prejudice.
2. Absent compliance with this order, this case (including all counterclaims and the like) may be dismissed without further notice.
3. The pretrial conference and trial previously scheduled are cancelled upon the representation that this case is settled.

DATED this 26th day of July, 2011.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge