

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

GILBERT G. LUNDSTROM,

Plaintiff,

v.

FEDERAL DEPOSIT INSURANCE  
CORPORATION, in its capacity as  
receiver and/or conservator of TierOne  
Bank,

Defendant.

Case No. 8:11-cv-00094

**ORDER OF DISMISSAL**

Plaintiff, Gilbert G. Lundstrom, and Defendant, the Federal Deposit Insurance Corporation, as receiver for TierOne Bank, having settled and compromised the claims asserted by Plaintiff in this action, have agreed to the dismissal of this action with prejudice.

**IT IS THEREFORE ORDERED** that this action is dismissed with prejudice and that this dismissal shall have no effect whatsoever on any claims or causes of action of the Federal Deposit Insurance Corporation, in any of its capacities, against Plaintiff Gilbert G. Lundstrom.

Each party is responsible for their own costs of court.

Signed this 12<sup>th</sup> day of January 2012.

BY THE COURT:

***s/ Joseph F. Bataillon***  
United States District Judge