

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

**DAVID STEARNS,**

**Plaintiff,**

**vs.**

**WAL-MART STORES, INC.,**

**Defendant.**

**CASE NO. 8:13CV329**

**ORDER OF DISMISSAL**

This matter is before the Court on the Parties' Joint Stipulation for Dismissal (Filing No. 36). The Stipulation complies with Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and the Court concludes that it should be approved. The Complaint in the above-captioned action should be dismissed with prejudice, with the parties to bear their own attorney's fees and costs. Accordingly,

**IT IS ORDERED:**

1. The Parties' Joint Stipulation for Dismissal (Filing No. 36) is approved;
2. The Complaint in the above-captioned action is dismissed with prejudice;  
and
3. The parties will bear their own attorney's fees and costs.

Dated this 29<sup>th</sup> day of September, 2014.

**BY THE COURT:**

s/Laurie Smith Camp  
Chief United States District Judge