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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

BNSF RAILWAY COMPANY, a Delaware corporation,

Plaintiff,

v.

ALBANY & EASTERN RAILROAD COMPANY, an Oregon corporation,

Defendant.

Case No. 3:08-CV-415-BR

ORDER VACATING VERDICT AND JUDGMENT

(#166, #167)

Pursuant to the parties' settlement and stipulation, the May 19, 2011 verdict¹ and June 2, 2011 Judgment^(#174) are **VACATED**. Plaintiff's claims are **DISMISSED WITH PREJUDICE**.

This Court shall retain jurisdiction to enforce the Settlement Agreement and Release.

Dated: January 25, 2012



Anna J. Brown
United States District Court Judge