

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

JAMES A. SIGMON,)	
Plaintiff,)	
)	
v.)	No. 3:05-CV-591
)	Phillips
APPALACHIAN COAL PROPERTIES, LLC,)	
Defendant.)	

JUDGMENT ON DECISION BY THE COURT

This case came before the court on the motion for summary judgment by plaintiff James A. Sigmon. The Honorable Thomas W. Phillips, United States District Judge, having rendered a decision on the plaintiff's motion,

IT IS ORDERED AND ADJUDGED that judgment is granted in favor of plaintiff James A. Sigmon, that the defendant Appalachian Coal Properties take nothing on the counterclaim, and that the plaintiff James A. Sigmon, recover of the defendant Appalachian Coal Properties, LLC, his costs of action. This action is hereby **DISMISSED.**

The final pretrial conference scheduled for December 8, 2008 and the trial scheduled for December 15, 2008 are **CANCELLED.**

Dated at Knoxville, Tennessee, this _____ day of September, 2008.

s/ Patricia L. McNutt
Clerk of Court