

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

LARRY C. LAY, et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 3:09-CV-252
)	(Phillips)
BURLEY STABILIZATION CORPORATION,)	
)	
Defendant.)	

JUDGMENT ORDER

This action came before the court on motion of the defendant to dismiss pursuant to Fed.R.Civ.P. Rules 12(b)(1) and (6). The issues having been heard, and defendant's motion to dismiss pursuant to Rules 12(b)(1) and (6) having been granted by the Honorable Thomas W. Phillips, United States District Judge,

IT IS ORDERED AND ADJUDGED that the claims against defendant Burley Stabilization Corporation are **DISMISSED WITHOUT PREJUDICE**; and this action is **DISMISSED** in its entirety. The final pretrial conference scheduled for May 17, 2011 and the trial scheduled for May 24, 2011 are **CANCELLED**.

Defendant Burley Stabilization Corporation shall recover from the plaintiffs its reasonable costs and attorney fees.

Dated at Knoxville, Tennessee, this _____ day of June, 2010.

s/ Patricia L. McNutt
Clerk of Court