

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

|                             |   |               |
|-----------------------------|---|---------------|
| MICHAEL RYAN; and TIMI RYAN | ) |               |
|                             | ) |               |
| v.                          | ) | No. 3-10-1134 |
|                             | ) |               |
| ALLSTATE PROPERTY AND       | ) |               |
| CASUALTY COMPANY, INC.      | ) |               |

ORDER

The order entered June 6, 2011 (Docket Entry No. 22) is VACATED and the following order entered in lieu thereof:

As addressed in the telephone conference call with counsel for the parties and the Court on June 2, 2011, and as provided in the order entered June 3, 2011 (Docket Entry No. 21), the parties filed a joint motion for dismiss of the plaintiffs' claims of bad faith and claims under the Tennessee Consumer Protection Act (Docket Entry No. 20), with accompanying proposed agreed order of dismissal (Docket Entry No. 20-1).

The Clerk is directed to forward the file in this case to the Honorable John T. Nixon<sup>1</sup> for his consideration of the parties' agreed motion and agreed order.

As reflected in the motion and agreed order, dismissal of the listed claims will not dispose of this action since the plaintiffs' claim for breach of contract remains pending.

It is so ORDERED.

  
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 JULIET GRIFFIN  
 United States Magistrate Judge

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<sup>1</sup> The June 3, 2011, order incorrectly directed that the case be forwarded to Judge Sharp rather than Judge Nixon. This case has not been reassigned to Judge Sharp.