## UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

## UNITED STATES OF AMERICA upon the relation and for the use of the TENNESSEE VALLEY AUTHORITY, Plaintiff,

v.

No. 3:14-CV-01307 Judge Todd J. Campbell

A TEMPORARY RIGHT TO ENTER UPON LAND IN WILSON COUNTY, TENNESSEE, and TEXAS EASTERN TRANSMISSION, LP, a Delaware limited partnership, Defendants.

## PROPOSED AGREED ORDER OF DISMISSAL

As evidenced by their approval of this Order, the parties have entered into an agreement

granting Plaintiff access to the property owned by Defendant and therefore the temporary

easement condemned in this action may be terminated by dismissing this action as hereinafter

provided;

It is Ordered and Adjudged that:

1. Pursuant to said agreement and stipulation and in accordance with Federal Rule

of Civil Procedure 71.1(i), this action is hereby dismissed (thereby terminating said temporary easement).

2. The Clerk of this Court is authorized and directed to draw a check on the funds on deposit in the registry of this Court in the amount of \$1 payable to the Tennessee Valley Authority, said check being a refund of its deposit herein and to mail said check to Elizabeth A.

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Birdwell, Attorney, Tennessee Valley Authority, Office of the General Counsel, 400 West

Summit Hill Drive, Knoxville, Tennessee 37902-1401.

It is so ORDERED.

add Carabell

TODD J. CAMPBELL ` UNITED STATES DISTRICT JUDGE

We hereby approve and consent to the entry of this Order:

Eliphon a, Birdwell

Elizabeth A. Birdwell (TN BPR 026648) TVA GENERAL COUNSEL'S OFFICE 400 West Summit Hill Drive Knoxville, Tennessee 37902-1401 Telephone 865.632.7346 Email eabirdwell@tva.gov

Attorney for Plaintiff

<u>s/Lela M. Hollabaugh (by permission)</u> Lela M. Hollabaugh (BPR#14894) BRADLEY ARANT BOULT & CUMMINGS LLP Roundabout Plaza 1600 Division Street, Suite 700 Nashville, Tennessee 37203 Telephone 615.252.2348 Email lhollabaugh@babc.com

Attorney for Defendant Texas Eastern Transmission, LP

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