

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

UNITED STATES OF AMERICA)
)
 Plaintiff)
)
)
 vs.) 2:03-cv-206-JDT/WGH
)
THE TOWN OF WEST TERRE)
HAUTE,)
)
 Defendant)

ORDER DIRECTING FILING OF A PLEADING AUTHORIZING DISMISSAL

The court has been advised by counsel that a settlement has been reached in this action. All that remains to be done is the execution of documents and/or delivery of funds, if so required, in accordance with their agreement. Therefore, all pending motions, if any, are now DENIED AS MOOT and all previously ordered dates relating to discovery, filings, schedules, conferences and trial, if any, are VACATED. The Settlement Conference scheduled for February 10, 2004 at 10:00 a.m. before Magistrate William Hussmann is also VACATED.

IT IS ORDERED that within thirty (30)days of this date, counsel for the plaintiff shall file a motion to dismiss this cause or a stipulation of dismissal and submit an order for the court's signature ordering the dismissal of this action (in conformance with the agreement of the parties). Failure to comply with this order will result in DISMISSAL WITH PREJUDICE

pursuant to Rule 41(b), Fed. R. Civ. P. for failure to prosecute this action in a timely manner. Additional time to complete the execution of the settlement document may be granted if requested in writing prior to the expiration of this period of time.

ALL OF WHICH IS ORDERED this 6th day of February, 2004.



John Daniel Tinder, Judge
United States District Court

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Hon. William G. Hussmann