IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

LAKE MARTIN, INC., *et al.,*	)	
	)	
Plaintiffs,	)	
v.	)	CASE NO. 3:09-cv-985-MEF
	)	
KROGER LIMITED PARTNERSHIP I,	)	
et al.,	)	(WO - Do Not Publish)
	)	
Defendants.	)	

O R D E R

Upon consideration of the Joint Stipulation for Dismissal With Prejudice (Doc. #43) filed on February 23, 2010, it is hereby ORDERED:

1. That all claims against defendant Sam's East, Inc. are DISMISSED with prejudice, each party to bear its own costs.

2. That plaintiffs' claims as set forth in the complaint remain against all other defendants, named or unnamed.

3. That defendant Racetrac's motion to sever (Doc. #30) is DENIED as MOOT.

DONE this the 1st day of March, 2010.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE

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