

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

JOE ELLIS GRESHAM, JR.,)
)
 Plaintiffs,)
)
 v.) Case No. 04-2328-KHV
)
 BOEING COMPANY,)
)
 Defendant.)
 _____)

ORDER OF DISMISSAL WITHOUT PREJUDICE

Plaintiff has filed his Stipulation of Dismissal Without Prejudice, to which Defendant has raised no objection. For good cause shown,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiff's claims against Defendant are dismissed without prejudice,

IT IS FURTHER ORDERED that should Plaintiff refile these claims on his own individual behalf (not including any claims raised in a class action), pursuant to the agreement of the parties, that:

1. No additional written discovery shall be filed in any new case, and that all written discovery filed and answered in the above-captioned case shall be effective in any new action; and
2. Both parties shall be bound by any deadlines that have already passed in the instant case (i.e., the Plaintiff shall not be allowed to name any additional expert witnesses), however all disclosures made within said deadlines in the above-captioned case shall remain effective in any new action.

IT IS FURTHER ORDERED that the parties shall bear their own attorneys' fees
and court costs.

June 29, 2005
Date

s/ Kathryn H. Vratil
Hon. Kathryn H. Vratil
Judge
United States District Court