

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

CREEKSTONE FARMS PREMIUM BEEF,
L.L.C., and THE BANK OF NOVA
SCOTIA,

Plaintiffs,

vs.

Case No. 05-1083-JTM

SUITT CONSTRUCTION COMPANY,
INC.,

Defendant.

MEMORANDUM AND ORDER

This action is hereby dismissed pursuant to the mandate of the 10th Circuit Court of Appeals (Dkt. No. 27) and for the reasons explained further in the court's contemporaneous Order entered in Case No. 04-1052-JTM.

IT IS ACCORDINGLY ORDERED this 25th day of July, 2007 that the present action is hereby dismissed.

s/ J. Thomas Marten
J. THOMAS MARTEN, JUDGE