

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

**IN RE: CESSNA 208 SERIES AIRCRAFT
PRODUCTS LIABILITY LITIGATION**

MDL No: 1721

**(This Document Relates Only To
Emmons v. Cessna Aircraft Company, et al.,
No. 05-CV-2532-KHV)**

Case No: 05-md-1721-KHV

ORDER

This matter is before the Court on the Joint Motion Of Plaintiff And Defendant United States For Good Faith Finding And Dismissal Of United States In Emmons, 05-2532 (Doc. #71) filed September 25, 2006. Pursuant to D. Kan. Rule 6.1(d)(1), the other defendant, Cessna Aircraft Company (“Cessna”), had until October 18, 2006 to file a response to the joint motion. To date, Cessna has not responded. Pursuant to D. Kan. Rule 7.4, “[i]f a respondent fails to file a response within the time required by Rule 6.1(d), the motion will be considered and decided as an uncontested motion, and ordinarily will be granted without further notice.” For this reason and substantially the reasons set forth in the joint motion (Doc. #71), the Court finds that the parties’ motion should be sustained.

IT IS THEREFORE ORDERED that the Joint Motion Of Plaintiff And Defendant United States For Good Faith Finding And Dismissal Of United States In Emmons, 05-2532 (Doc. #71) filed September 25, 2006 be and hereby is **SUSTAINED**.

IT IS FURTHER ORDERED that the settlement agreement between the Estate of Donald Lamont “Monty” Emmons and the United States is made in good faith pursuant to the Illinois Joint Tortfeasor Contribution Act, 740 Ill. Comp. Stat. 100/0.01 et seq.

IT IS FURTHER ORDERED that pursuant to 740 Ill. Comp. Stat. 100/2, the United States is discharged from all liability for any contribution to any other tortfeasor arising out of the claims in this lawsuit.

IT IS FURTHER ORDERED that the claims against the United States in the case of Emmons v. Cessna Aircraft Co., et al., No. 05-CV-2532-KHV are **DISMISSED with prejudice**.

Dated this 26th day of October, 2006 at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge