

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

MICHAEL D. VAN DEELEN,

Plaintiff,

Vs.

No. 05-4039-SAC

MARION JOHNSON, et al,

Defendants.

**MEMORANDUM AND ORDER**

The court, having recently conducted a pre-trial status conference, issues this order sua sponte to clarify which parties remain in this case. Plaintiff originally sued Marion Johnson, Steven Miles, Dale Flory, Kenneth Fangohr, Ken McGovern, and The Board of County Commissioners of Douglas, Kansas. This court found no basis for municipal liability against The Board of County Commissioners of Douglas, Kansas, Dk. 72, p. 31-33, and that ruling was affirmed on appeal by the Tenth Circuit, Dk. 82, p. 17-18. After reviewing these orders, the plaintiff has conveyed to the court his agreement that The Board of County Commissioners of Douglas, Kansas is no longer a party to this case.

All individual defendants remain parties to this case. See Dk. 88 (the

court's order on remand, denying summary judgment on claims including plaintiff's § 1983 retaliation claim against the "defendants," and on plaintiff's conspiracy claim against Marion Johnson, Steven Miles, Dale Flory, and Kenneth Fangohr.)

IT IS SO ORDERED.

Dated this 15th day of October, 2008.

s/ Sam A. Crow  
Sam A. Crow, U.S. District Senior Judge