

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

**CLARA LOUDERBACK, as an individual  
and as Executor of the Estate of Allie  
Louderback, and GEORGE LOUDERBACK,  
as an individual and natural father of  
Allie Louderback,**

**Plaintiffs,**

**v.**

**Case No. 06-2023-JWL**

**VOLUNTARY ACCIDENTAL DEATH AND  
DISMEMBERMENT POLICY, et al.,**

**Defendants.**

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**MEMORANDUM AND ORDER**

This matter comes before the court on the motion of defendants Litton Industries, Inc. and Northrop Grumman Information Technologies, Inc. (collectively, the Northrop defendants) to dismiss (doc. #26) Counts III and IV of plaintiffs' complaint. When plaintiffs did not file a timely response to this motion to dismiss, the court issued to plaintiffs a Notice and Order to Show Cause (doc. #28) why they did not respond to the motion. On December 22, 2006, plaintiffs notified the court that rather than filing a response to the motion or to the court's order to show cause, plaintiffs are electing to dismiss the common law causes of action in their complaint.

**IT IS THEREFORE ORDERED BY THE COURT** that the Northrop defendants' motion to dismiss (doc. #26) is granted as unopposed. Counts III and IV of plaintiffs' complaint are hereby dismissed.

**IT IS SO ORDERED** this 2nd day of January, 2007.

s/ John W. Lungstrum  
John W. Lungstrum  
United States District Judge