

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA, for
the use and benefit of YMC, INC., an
Idaho corporation,

Plaintiff,

v.

INSURANCE COMPANY OF THE
WEST, a California corporation, and
EAGLE ROCK TIMBER, INC. an Idaho
corporation,

Defendants.

Case No. 1:09-CV-543-BLW

**AMENDED ORDER OF
DISMISSAL**

EAGLE ROCK TIMBER, INC. an Idaho
Corporation,

Intervenor Counterclaimant,

v.

YMC, Inc. an Idaho corporation,

Counterdefendant.

The Court has before it the Amended Notice of Dismissal With Prejudice (Dkt.
43). Good cause appearing, the Court enters this Amended Order of Dismissal.

ORDER

IT IS ORDERED:

1. Defendant Third Party Plaintiff, Eagle Rock Timber, Inc.'s Amended Notice of Dismissal With Prejudice (Dkt. 43) is **GRANTED**. The Third Party Complaint (Dkt. 33) filed against Battelle Energy Alliance, LLC shall be DISMISSED WITH PREJUDICE without costs or attorneys fees.



DATED: November 18, 2010

A handwritten signature in black ink, reading "B. Lynn Winmill". The signature is written over a horizontal line.

B. LYNN WINMILL
Chief U.S. District Court Judge