

IN THE CIRCUIT COURT OF WASHINGTON COUNTY, ARKANSAS

ARCHIE R. SCHAFFER, III;
BEVERLY B. SCHAFFER;
DR. KENNETH E. GARDNER; and
SUSAN L. GARDNER

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CIRCUIT CLERK
B. STAMPS

PLAINTIFFS

VS.

CV-2012-1708-2

CITY OF FAYETTEVILLE, ARKANSAS

DEFENDANT

ORDER OF VOLUNTARY DISMISSAL OF PLAINTIFFS' APPEAL

Now on this 13th day of November, 2012, the above-captioned matter comes to be heard upon the Plaintiffs', ARCHIE R. SCHAFFER, III, BEVERLY B. SCHAFFER, DR. KENNETH E. GARDNER, and SUSAN GARDNER, MOTION TO VOLUNTARILY DISMISS APPEAL against the Defendant, CITY OF FAYETTEVILLE, and the Court being well and sufficiently advised in the premises finds:

1. PLAINTIFFS move the Court to dismiss their Complaint against the DEFENDANT without prejudice pursuant to Ark. R. Civ. P. 41(a), and have an absolute right so to do.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Court that the Plaintiffs', ARCHIE R. SCHAFFER, III, BEVERLY B. SCHAFFER, DR. KENNETH E. GARDNER, and SUSAN GARDNER, COMPLAINT APPEALING ZONING ORDINANCE against the Defendant, CITY OF FAYETTEVILLE be dismissed without prejudice pursuant to Arkansas Rule of Civil Procedure 41(a) before this Court on the ___ day of November, 2012.

IT IS SO ORDERED.

Beth Storey Bryan

BETH STOREY BRYAN

on exchange

CIRCUIT JUDGE

Prepared by:

Drew T. Sadtler

Attorney for Plaintiff's