

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DARREN SOLFEST and
STACI SOLFEST,

Plaintiffs,

v.

ARCTIC CAT INC.,

Defendant.

ORDER

07-cv-427-slc

On April 18, 2008, this court entered sequential orders striking the reports and testimony of plaintiffs' two proffered expert witnesses. *See* dkt. 72 and 73. Then, rather than dismiss this lawsuit outright, I provided plaintiffs an opportunity to provide a factual proffer establishing a *prima facie* entitlement to the relief they are requesting in this lawsuit. Today plaintiffs acknowledged that as a result of the court's rulings, they have no evidence left that would allow them to prevail at trial. *See* dkt. 74. In light of this, there is no point in convening a jury to hear this case.

ORDER

It is ORDERED that this lawsuit is DISMISSED WITH PREJUDICE. The Clerk of Court is directed to enter judgment in favor of the defendant.

Entered this 22nd day of April, 2008.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge