

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

SPRINGS WINDOW FASHIONS,

Plaintiff,

v.

D&S, INC., CHARLES S.
DUFFLEY, BENJAMIN D.
MORRIS and DALPHIS, LLC.,

Defendants.

ORDER

11-cv-226-bbc

Counsel in this case have advised the court that defendant Dalphis, LLC., has filed for bankruptcy. Because the proceedings in bankruptcy may dispose of plaintiffs' claims against this defendant IT IS ORDERED that the complaint DISMISSED as to defendant Dalphis, LLC, without prejudice, subject to the condition that this order of dismissal shall be vacated in the event that the bankruptcy proceeding is terminated without disposing of the rights of the parties in this case, or a timely request is made by either party that this order to dismiss without prejudice be vacated or for any other reason necessary to prevent manifest injustice. In the event that this order of dismissal is vacated, the parties shall have

all such rights as if the complaint had not been dismissed against Dalphis, LLC.

Entered this 5th day of July, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge