

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION AT FRANKFORT**

MID-AMERICA MILLING COMPANY,)
LLC, et al.,)

Plaintiffs,)

v.)

UNITED STATES DEPARTMENT OF)
TRANSPORTATION, et al.,)

Defendants.)
_____))

Case No. 3:23-cv-00072-GFVT-EBA

[PROPOSED] ORDER GRANTING MOTION TO DISMISS AND VACATE

Upon consideration of the Intervenor DBEs' Motion to Dismiss and Vacate, it is:

ORDERED that the Motion is **GRANTED**; it is further

ORDERED that Plaintiffs' Verified Complaint, ECF No. 1, is **DISMISSED** as moot and
with prejudice; it is further

ORDERED that the preliminary injunction as clarified, ECF Nos. 44 and 50, is **VACATED**;
and it is further

ORDERED that the Clerk shall **CLOSE** this case.

SO ORDERED this _____ day of _____, 2025.

GREGORY F. VAN TATENHOVE
United States District Judge