

VERMEER MANUFACTURING COMPANY *v.*  
Jimmy VANDIVER, a/k/a VANDIVER EQUIPMENT  
COMPANY and FORD MOTOR COMPANY

650 S.W.2d 244

Supreme Court of Arkansas  
Opinion delivered May 9, 1983

APPEAL & ERROR — JUDGMENT INVOLVING MULTIPLE PARTIES — FAILURE OF ORDER OF COURT TO COMPLY WITH ARCP RULE 54 (b) REQUIRES DISMISSAL WITHOUT PREJUDICE. — Where the order of the trial court dismissing one of several defendants does not recite that there is no just reason for delaying an appeal nor does it direct the entry of a final judgment in favor of said defendant, ARCP Rule 54 (b) requires that the appeal be dismissed without prejudice to appeal when a final judgment is entered.

Motion to Dismiss; motion granted.

*Pollard & Cavaneau*, by: *Jerry Cavaneau*, for appellant.

*Lightle, Beebe, Raney & Bell*, by: *Donald Raney*, for appellee Vandiver.

*Smith & Nixon*, by: *W. R. Nixon, Jr.*, for appellee Ford Motor Company.

PER CURIAM. This case involves multiple claims of relief and liability among multiple parties. The trial court dismissed one defendant, Ford Motor Company, on the basis of lack of venue. The other parties now seek to appeal that ruling. However, the order of the trial court does not recite that there is no just reason for delaying an appeal nor does it direct the entry of a final judgment in favor of Ford Motor Company. Therefore, ARCP Rule 54 (b) requires that the present appeal be dismissed without prejudice to appeal when a final judgment is entered.