

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:09-cv-44-W**

<p>LANCE MFG. LLC and ARCHWAY BAKERIES, LLC,</p>	<p>Plaintiffs,</p>
<p>v.</p>	
<p>VOORTMAN COOKIES LIMITED,</p>	<p>Defendant.</p>

**CONSENT ORDER
AND FINAL JUDGMENT**

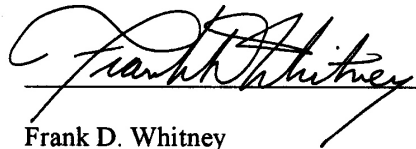

This matter comes forward on the Joint Motion To Reopen And For Entry Of Consent Order And Final Judgment filed by all parties [Docket No. 50]. The Court, finding that the Joint Motion is supported by good cause and should be granted, and noting the consent of all parties to the relief requested, hereby ORDERS:

1. Pursuant to this Court's Order of December 11, 2009 [Docket No. 48], this matter is reopened for the purposes of entering this consent order and final judgment.
2. The Defendant Voortman Cookies Limited, its directors, officers, employees, representatives and agents, and any persons or entities in active concert or participation with them having actual notice of this Consent Order And Final Judgment, are hereby permanently enjoined from any advertising, distribution, offering for sale, sale, distribution or shipping of the packages depicted in the two illustrations attached collectively hereto as Exhibit 1.
3. This action is dismissed with prejudice as to all parties and all claims, with each of the parties to bear its own costs and attorney fees. Any relief not expressly granted in this Consent Order And Final Judgment is denied, and all rights of appeal are waived.

4. The Court retains jurisdiction of this matter for purposes of enforcing this Consent Order And Final Judgment.

IT IS SO ORDERED.

Signed: December 22, 2009


Frank D. Whitney
United States District Judge 

APPROVED AND CONSENTED TO AS TO FORM AND SUBSTANCE:

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