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 24 *Midwest Industrial Supply, Inc.*

25 **UNITED STATES DISTRICT COURT**
 26 **IN AND FOR THE DISTRICT OF ARIZONA**

27 SOILWORKS, LLC, an Arizona corporation,
 28
 Plaintiff / Counterdefendant /
 Counterclaimant,
 v.
 MIDWEST INDUSTRIAL SUPPLY, INC., an
 Ohio corporation authorized to do business in
 Arizona,
 Defendant / Counterclaimant /
 Counterdefendant.

NO.: 2:06-CV-2141-DGC

STIPULATION TO THE ENTRY OF AN
 ORDER OF DISMISSAL

1 Pursuant to Federal Rule 41(a), Plaintiff Soilworks, LLC and Defendant Midwest
2 Industrial Supply, Inc., by and through their counsel, hereby stipulate and agree that the
3 above-captioned case is settled and that any and all claims of any sort that were raised in the
4 instant action, by any and/or all parties in this action, be dismissed with prejudice. Plaintiff
5 Soilworks, LLC and Defendant Midwest Industrial Supply, Inc. further stipulate to the entry
6 of an order by this Court dismissing this matter in its entirety, with prejudice. Each party
7 shall bear its own costs and fees.
8

9
10 **STIPULATED AND AGREED TO:**
11

12 /s/ E. Scott Dosek (per agreement)

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Attorneys for Defendant Midwest Industrial Supply, Inc.

IT IS SO ORDERED:

Dated: _____

David G. Campbell
United States District Court Judge

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was filed electronically on April 6, 2009. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Anastasia J. Wade
Anastasia J. Wade

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