

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION

MCKINSEY PIGGEE, JR.  
AND EARLINE PIGGEE

PLAINTIFFS

V.

NO. 4:07CV00605

PATTERSON MEDICAL HOLDINGS, INC.;  
AND ITO CO., LTD.

DEFENDANTS

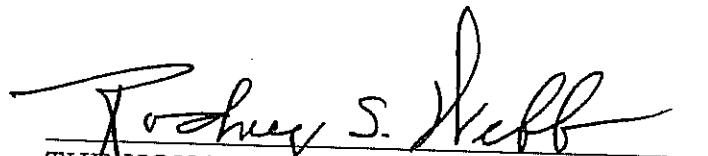
BAPTIST HEALTH D/B/A BAPTIST  
HEALTH THERAPY CENTER; AND  
TOD DALBY

THIRD PARTY DEFENDANTS

ORDER OF DISMISSAL WITH PREJUDICE

It appearing to the Court that this matter has been compromised and settled, it is hereby ORDERED that all claims and causes of action asserted or assertable herein, including, without limitation, the Complaint of plaintiffs and the Third Party Complaint of Ito Co., Ltd., are hereby dismissed with prejudice.

IT IS SO ORDERED this 23<sup>rd</sup> day of April, 2009.

  
THE HONORABLE RODNEY S. WEBB  
UNITED STATES DISTRICT COURT

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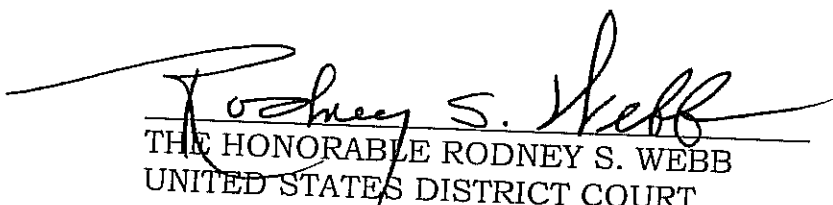
BAPTIST HEALTH D/B/A BAPTIST  
HEALTH THERAPY CENTER; AND  
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AGREED ORDER THAT MCKINSEY PIGGEE, JR.  
HAS NOT BEEN "MADE WHOLE"

Upon consideration of the Joint Motion of the plaintiffs and defendant, Ito Co., Ltd., the Court being well and sufficiently advised in the circumstances, and having been informed of the amount of the confidential settlement reached between the parties, the Court hereby finds and determines that McKinsey Piggee, Jr. has not been "made whole" by the settlement.

IT IS SO ORDERED this <sup>23<sup>rd</sup></sup> day of April, 2009.

  
THE HONORABLE RODNEY S. WEBB  
UNITED STATES DISTRICT COURT

AGREED AS TO FORM AND CONTENT:

David Hodges 4/20/09

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