

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

**THE QUERCUS TRUST BY DAVID
GELBAUM, TRUSTEE**

PLAINTIFF

VS.

NO. 4:09CV00314 JMM

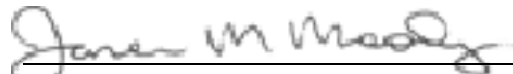
THERMOENERGY CORPORATION

DEFENDANT

ORDER

Pursuant to the Stipulation for dismissal with prejudice filed by the parties, docket # 10, Plaintiff's case is hereby dismissed with prejudice. Each party will bear their own costs and attorneys' fees.

IT IS SO ORDERED this 28th day of September, 2009.



James M. Moody
United States District Judge