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

KEVIN DESHAZER

**PLAINTIFF** 

V.

CASE NO. 4-11-CV-0740 JMM

METROPOLITAN LIFE INSURANCE COMPANY and VESTCOM INTERNATIONAL, INC. WELFARE BENEFIT PLAN

DEFENDANTS

## AGREED ORDER AND STIPULATION OF DISMISSAL WITH PREJUDICE

The following is stipulated and agreed by and between the parties in the above-styled case and is hereby ordered by the Court:

- 1. that Plaintiff is entitled to benefits under the Plan so long as he remains eligible and otherwise meets his obligations under the terms of the Plan;
- 2. that pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, the abovestyled cause of action should be dismissed with prejudice, each party to bear his and its own costs and fees except as expressly agreed by the parties; and
- 3. that this action is dismissed with prejudice only as to events, omissions, and/or decisions occurring heretofore. The plaintiff is not precluded from bringing further actions based on events, omissions, and/or decisions occurring hereafter.

UNITED STATES DISTRICT JUDGE

DATE DATE

Neil Chamberlin Ark. Bar No. 2003109

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