

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

BENEFUEL, INC.

PLAINTIFF

v.

CASE NO. 5:09cv00276 BSM

**CHARLES F. SMITH;
WHITE RIVER FARM, INC.; and
DIAMOND VALLEY VENTURES, LLC**

DEFENDANTS

WHITE RIVER FARM, INC.

COUNTER CLAIMANT

v.

BENEFUEL, INC.

COUNTER DEFENDANT

BENEFUEL, INC.

THIRD PARTY PLAINTIFF

v.

JAMES C. GRAHAM

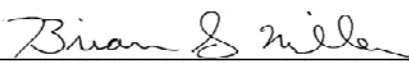
THIRD PARTY DEFENDANT

ORDER OF DISMISSAL

Third party plaintiff, Benefuel, Inc. ("Benefuel"), and third party defendant, James C. Graham ("Graham"), have settled all claims, and therefore stipulate to the dismissal with prejudice of all claims between them.

Therefore, all claims between Benefuel and Graham are dismissed with prejudice.

IT IS SO ORDERED this 2nd day of April, 2010.


UNITED STATES DISTRICT JUDGE