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The Court, having considered the stipulation of the parties and finding good cause for the requested order set forth therein, HEREBY ORDERS as follows: Pursuant to the provisions of Fed. R. Civ. Proc. 41(a)(1)(ii), this action is hereby DISMISSED with prejudice. This Court however hereby reserves jurisdiction to enforce the terms of the settlement agreement between the parties to this action. Johnson J. D Dated: November 12, 2008 Hon. A. Howard Matz, JUDGE OF THE U.S. DISTRICT COURT Make JS-6