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Date: November 22, 2010

DOWLING, AARON & KEELER, INC.

/s/ Keith M. White
Keith M. White, Attorneys for Defendant
Villagio Shopping Center

Dated: November 19, 2010

KAISER, SWINDELLS & EILER

/s/ James O. Eiler
James O. Eiler, Attorneys for Defendant S.B.
Restaurant Company, dba Elephant Bar
Restaurant

ORDER

The parties having so stipulated,
Order Dismissing Action for Failure to Submit Stipulated Dismissal signed
by Judge Oliver W. Wanger on 11/18/2010 is ORDERED VACATED.
IT IS HEREBY ORDERED that this action be dismissed with prejudice in its entirety.

IT IS SO ORDERED.

Dated: November 22, 2010

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE