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**ORDER**

Pursuant to the Joint Notice of Settlement and Stipulation of Dismissal (Doc. 35, 36), this case is dismissed with prejudice. All pending motions and hearings are vacated. Each party will bear their own costs and attorneys fees, with the exception of those subject to the Court's prior sanction order. (Doc. 34.) The Court shall retain jurisdiction over this matter for one hundred and twenty days time to allow for the parties to fulfill their duties under the settlement agreement.

IT IS SO ORDERED.

Dated: December 10, 2012

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE