



Civil Procedure that this matter shall be and hereby is dismissed with prejudice, each party to bear its own attorney's fees and costs.

Dated: November 5, 2008

JONATHAN ROSENOER

*Jonathan Rosenoer*  
Jonathan Rosenoer  
*In propria persona*

Dated: November 5, 2008

LIPPENBERGER, THOMPSON, WELCH,  
SOROKO & GILBERT LLP

By     //      
Darin T. Judd

Attorneys for Plaintiff  
JONATHAN ROSENOER

Dated: November 5, 2008

JACKSON LEWIS LLP

By     *MB*      
Mitchell E. Beemer

Attorneys for Defendant  
INTERNATIONAL BUSINESS MACHINES  
CORPORATION

**IT IS SO ORDERED.**

UNITED STATES DISTRICT COURT JUDGE

Dated: November 24, 2008

