

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 08-cv-02204-MJW-KLM

MADISON INVESTMENT TRUST, a Delaware investment trust,
Plaintiff and Counterclaim-Defendant,

v.

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.,
a national banking association,
Defendant and Counterclaimant.

ORDER GRANTING JOINT MOTION TO DISMISS WITH PREJUDICE


(Docket No 134)

THIS MATTER comes before the Court on the Parties' Notice of Settlement and Joint Motion To Dismiss With Prejudice [**Docket No. 134**]. The Court, having reviewed the Joint Motion to Dismiss With Prejudice, the file, and otherwise being fully advised, hereby

ORDERS that the Motion is granted, that this matter is dismissed, with prejudice and without costs, and that this Court shall retain jurisdiction over this action to entertain such further proceedings and to enter such further orders as may be necessary or appropriate for the limited purposes of implementing and enforcing the provisions of the parties' settlement agreement.

DATED this 2nd day of April, 2010.

BY THE COURT:


Magistrate Judge Michael J. Watanabe