

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION**

**CHERI BUSCEMI, etc.,**

**Plaintiff,**

**v.**

**CASE NO: 3:10cv00078/RV/EMT**

**THE KROGER CO. OF OHIO and  
JUNIOR FOOD STORES OF WEST  
FLORIDA, INC., etc.,**

**Defendants.**

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**ORDER OF DISMISSAL**

The Court having been advised on August 16, 2010, that this matter has been compromised and settled between the parties, it is ORDERED:

- (1) This cause is hereby DISMISSED, with prejudice and without taxation of costs.
- (2) In the event settlement is not consummated for any reason, the Court reserves the power, upon motion filed by any party within 120 days after date, to amend, alter or vacate and set aside this order of dismissal.

DONE AND ORDERED this 21st day of October, 2010.

*/s/ Roger Vinson*

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**ROGER VINSON**

**Senior United States District Judge**