

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

MILTON DEAN COCKERHAM, 2 +
("Two Plus"), LLC,

Plaintiffs,

vs.

ROBERT SELLERS, JEFF DAY,
BRIAN FLATTER, JOHN DOES 1-10,

Defendants.

Case No. 1:09-CV-333-BLW

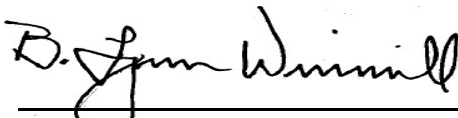
**ORDER TO WAIVE COSTS AND
AGREEMENT NOT TO FILE
APPEAL**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Defendants will waive their right to pursue the award of costs which may be granted by the Court in exchange for the Plaintiffs' agreement not to file an appeal.

Based on the foregoing, this matter is dismissed with prejudice as to Defendants, consistent with the Memorandum Decision and Order entered on February 17, 2011 and the Judgment entered by this Court on February 18, 2011.

DATED: April 11, 2011





B. LYNN WINMILL
Chief U.S. District Court Judge