

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

CAMP DRESSER & MCKEE, INC.

CIVIL ACTION

VERSUS

NO. 10-2864 c/w 11-2131

BENETECH, LLC ET AL.

SECTION "C" (2)

* * *

FIDELITY AND DEPOSIT COMPANY
OF MARYLAND ET AL.

CIVIL ACTION

VERSUS

NO. 11-2722

BENETECH, LLC ET AL.

SECTION "C" (4)

ORDER

The Court, having considered the complaint, the record, the applicable law, the Findings and Recommendation of the United States Magistrate Judge, and the failure of any party to file an objection to the Magistrate Judge's Findings and Recommendation, hereby approves the Findings and Recommendation of the United States Magistrate Judge and adopts it as its opinion in this matter. Therefore,

IT IS ORDERED that the motion of CDM Constructors Inc. to enter judgment and enforce agreements to settle in Civil Action No. 11-2722, Record Doc. No. 136, is **GRANTED** and that judgment will be separately entered in favor of CDM Constructors Inc. and against Benetech, LLC, William J. Bennett and William Aaron Bennett, in solido, with respect to the claims asserted by CDM Constructors Inc. in this action in the amount of \$9,200,000.00 (nine million, two hundred thousand and no/100 dollars), plus

interest accruing thereon at the judicial interest rate from and after the date of entry of judgment until paid in full, and that all other pending claims made in any of the pleadings filed in this action, including, without limitation, the claims asserted in the complaint, counterclaims and third-party complaints are **DISMISSED WITH PREJUDICE** in their entirety.

IT IS FURTHER ORDERED that the motion of CDM Smith Inc. (f/k/a Camp Dresser & McKee, Inc.) in Civil Action No. 10-2864 c/w 11-2131, Record Doc. No. 199, to enter judgment and enforce agreements to settle is **DISMISSED AS MOOT** and that judgment will be entered in those actions **DISMISSING WITH PREJUDICE** all pending claims made in any pleadings filed in the actions including, without limitation, the claims asserted in the complaint, counterclaims and third-party complaints. Consistent with the agreement of the parties to the consolidated actions expressed during the evidentiary hearing, this **judgment will not be entered until after the judgment in Civil Action No. 11-2722 has become final and non-appealable.**

New Orleans, Louisiana, this 26th day of September, 2013.


UNITED STATES DISTRICT JUDGE