

**UNITED STATES OF AMERICA  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

CAROLINE M. MILLER

Plaintiff,

vs.

R.D. CHERRY, INC., a Michigan corporation,  
and CHERRY OPTICAL, an assumed name for  
R.D. CHERRY, INC., Jointly and Severally,

Defendants.

Case No. 08-13114

Honorable Patrick J. Duggan

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THE NISKAR LAW FIRM, PLLC  
Joey S. Niskar (P55480)  
Attorneys for Plaintiff  
30600 Telegraph Road, Suite 4290  
Bingham Farms, MI 48025  
(248) 220-1966

JOHNSON, ROSATI, LABARGE,  
ASELTYNE & FIELD, P.C.  
J. Russell Labarge, Jr. (P16321)  
Sharon A. DeWaele (P43712)  
Attorneys for Defendants  
24825 Little Mack, Suite 200  
St. Clair Shores, MI 48080  
(586) 777-3377

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**STIPULATION AND ORDER SETTLING  
AND DISMISSING THE CASE**

The above parties hereby stipulate, through their respective undersigned counsel, the above entitled matter has been settled and agree to dismiss the action with prejudice and without costs or attorney fees to either party.

/s/ Joey S. Niskar (With Permission)

Joey S. Niskar (P55480)  
Attorneys for Plaintiff  
30600 Telegraph Road, Suite 4290  
Bingham Farms, MI 48025  
(248) 220-1966  
joeynlaw@aol.com

/s/ Sharon A. DeWaele (P43712)

Sharon A. DeWaele (P43712)  
Attorney for Defendant  
24825 Little Mack, Suite 200  
St. Clair Shores, MI 48080  
(586) 777-3377  
sdewaele@jrlaf.com

**ORDER**

**IT IS HEREBY ORDERED** the above entitled matter is dismissed with prejudice and without costs or attorney fees to either party.

S/Patrick J. Duggan  
Patrick J. Duggan  
United States District Judge

Dated: September 25, 2009September 25, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 25, 2009September 25, 2009, by electronic and/or ordinary mail.

S/Marilyn Orem  
Case Manager