

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

TOMBIGBEE ELECTRIC POWER ASSOCIATION

PLAINTIFF

V.

CIVIL ACTION NO. 1:16-CV-00099-SA-DAS

E. R. CARPENTER COMPANY, INC.

DEFENDANT

AGREED ORDER OF DISMISSAL WITH PREJUDICE

THIS CAUSE is before the Court pursuant to the *Ore Tenus* Motion of Tombigbee Electric Power Association and E. R. Carpenter Company, Inc., to dismiss this cause with prejudice. The Court, having fully considered said Motion, and otherwise being fully advised of the premises, finds that the Motion is well taken and should be granted in all respects. As such, this matter should be dismissed in its entirety with prejudice including, without limitation, all claims, counterclaims and cross-claims of any party whether directly stated in the pleadings or which otherwise might have been.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Complaint and all claims asserted therein or which could have been filed herein by any of the parties, and any and all amendments thereto, and all claims and causes of actions encompassed thereby and any and all cross claims and/or counterclaims or claims of any nature, including, without limitation all claims or causes of action which were, or might have been, asserted by any party in this matter or arising out of or related in any way to the matters and claims asserted or raised herein, shall be and the same are hereby dismissed with prejudice, with each party to bear their own costs of the Court.

/s/ Sharion Aycock
U.S. DISTRICT JUDGE