

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

<b>FURNACE AND TUBE SERVICE, INC.</b>	§	<b>PLAINTIFF/THIRD PARTY</b>
	§	<b>DEFENDANT/COUNTER DEFENDANT</b>
	§	
<b>v.</b>	§	<b>CAUSE NO. 1:09CV374 LG-RHW</b>
	§	
<b>WESTCHESTER SURPLUS LINES INSURANCE COMPANY</b>	§	<b>DEFENDANT/THIRD PARTY</b>
	§	<b>PLAINTIFF/COUNTER CLAIMANT</b>
	§	
<b>v.</b>	§	
	§	
<b>THE GRAY INSURANCE COMPANY, and MISSISSIPPI PHOSPHATES CORP.</b>	§	<b>THIRD PARTY DEFENDANTS</b>
	§	

**AGREED JUDGMENT OF DISMISSAL**

The remaining parties having agreed to and announced to the Court a settlement of this case, and the Court being advised that all parties have an informed understanding of their rights and a full appreciation of the consequences of the settlement, and the Court being desirous that this matter be finally closed on its docket;

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that this case is hereby dismissed with prejudice as to all parties. If any party fails to comply with the terms of this settlement agreed to by all parties, any aggrieved party may reopen the case for enforcement of the settlement agreement, and if successful, all additional attorneys' fees and costs from this date shall be awarded such aggrieved party or parties against the party failing to comply with the agreement. The Court specifically retains jurisdiction to enforce the settlement agreement.

**SO ORDERED AND ADJUDGED** this the 2nd day of August 2010.

*s/ Louis Guirola, Jr.*  
Louis Guirola, Jr.  
United States District Judge