

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

**TIRFARI SMITH**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 3:08-cv-27DPJ-JCS**

**METROPOLITAN LIFE INSURANCE COMPANY  
AND NISSAN NORTH AMERICA, INC., PLAN  
ADMINISTRATOR, NISSAN COMPREHENSIVE  
SECURITY PLAN**

**DEFENDANTS**

**JUDGMENT OF DISMISSAL WITH PREJUDICE**

This cause came on for hearing on the joint *ore tenus* motion to dismiss of the Plaintiff and the Defendants, and the Court being advised that all issues existing between the parties have been resolved, it is the opinion of the Court that said motion to dismiss all claims should be granted.

IT IS THEREFORE ORDERED AND ADJUDGED that this cause be and the same is hereby dismissed with prejudice with each party to bear its own costs.

**SO ORDERED AND ADJUDGED** this the 22<sup>th</sup> day of September, 2008.

*s/ Daniel P. Jordan III*  
UNITED STATES DISTRICT JUDGE

Agreed to and Approved by:

*/s/ Barry S. Zirulnik*  
Barry S. Zirulnik (MSB #6681)  
Counsel for Plaintiff

*/s/ Kenna L. Mansfield, Jr.*  
Kenna L. Mansfield, Jr. (MSB #1855)  
Counsel for Defendants