

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

**JOSEPH PERRY**

**PLAINTIFFS**

**V.**

**CIVIL ACTION NO. 3:12-CV-647-HTW-LRA**

**PANGBORN CORPORATION, ET AL.**

**DEFENDANTS**

**AGREED ORDER AND FINAL JUDGMENT OF DISMISSAL WITHOUT PREJUDICE  
AS TO MINE SAFETY APPLIANCES COMPANY**

This matter is before the Court on the motion of the Plaintiff Joseph Perry and Mine Safety Appliances Company for dismissal of the claims that were brought or that could have been brought by him against Mine Safety Appliances Company without prejudice. The Court having considered the motion and the agreement of the parties, finds that the motion should be granted.

IT IS, THEREFORE, ORDERED that the claims that were brought or that could have been brought by Plaintiff Joseph Perry are dismissed without prejudice against Mine Safety Appliances Company. Each party is to bear its own costs and attorney fees.

IT IS, FURTHER ORDERED as there is no just reason for delay, that Final Judgment shall be entered as to Mine Safety Appliances Company pursuant to Rules 54(b), 58 and 79(a). Each party is to bear its own costs and attorney fees.

SO ORDERED, this 18th day of July, 2013.

/s/ Henry T. Wingate  
United States District Court Judge

AGREED TO:

/s/ CHARLES R. WILBANKS, JR.  
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