

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

THE ESTATE OF FED ROGERS, SR.
AND CAROLYN FAYE ROGERS,
INDIVIDUALLY AND ON BEHALF OF
THE ESTATE AND WRONGFUL
DEATH BENEFICIARIES OF FED
ROGERS, SR.

VS.

CLAIBORNE COUNTY NURSING
CENTER, INC.; INTERNATIONAL
HEALTHCARE PROPERTIES 61, LP;
TOYO JITSUGYO, CO., LTC;
INTERNATIONAL HEALTHCARE
ASSOC. 61, INC.; VANGUARD
HEALTHCARE; C. BRUCE KELLY;
JOHN DOES 1 THROUGH 10; AND
UNIDENTIFIED ENTITIES 1
THROUGH 10 (AS TO CLAIBORNE
COUNTY NURSING CENTER)

PLAINTIFFS

CIVIL ACTION NO. 5:03-CV-279-DCB

DEFENDANTS

**AGREED ORDER OF DISMISSAL WITH PREJUDICE
AS TO CERTAIN DEFENDANTS**

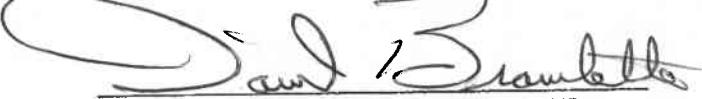
THIS MATTER came before the Court on the *ore tenus* motion of Plaintiffs THE
ESTATE OF FED ROGERS, SR. AND CAROLYN FAYE ROGERS, INDIVIDUALLY AND
ON BEHALF OF THE ESTATE AND WRONGFUL DEATH BENEFICIARIES OF FED
ROGERS, SR. ("Plaintiffs") to dismiss with prejudice the claims in this action against
Defendants CLAIBORNE COUNTY NURSING CENTER, INC.; INTERNATIONAL
HEALTHCARE PROPERTIES 61, LP; TOYO JITSUGYO, CO., LTC; INTERNATIONAL
HEALTHCARE ASSOC. 61, INC.; VANGUARD HEALTHCARE; C. BRUCE KELLY;
SENIOR LIVING CENTERS, LLC; JOHN DOES 1 THROUGH 10; AND UNIDENTIFIED
ENTITIES 1 THROUGH 10 (AS TO CLAIBORNE COUNTY NURSING CENTER)
("Defendants"). After being fully advised in the premises, and Plaintiffs and Defendants having

reached a full and final compromise regarding this dispute, the Court finds that the motion is well-taken and should be granted.

IT IS THEREFORE ORDERED that Plaintiff's claims in this action against Defendants are hereby dismissed with prejudice with each party to bear its own costs.

IT IS FURTHER ORDERED that this Court shall retain jurisdiction to enforce the terms of the Settlement Agreement and Release by and between Plaintiffs and Defendants, including, but not limited to, the authority to enforce the payment of all sums potentially due Plaintiffs under the terms of said Release.

SO ORDERED, this the 21st day of December, 2009.


UNITED STATES DISTRICT JUDGE

Approved and Agreed:


CAMERON C. JEHL
Counsel for Plaintiffs


B. LYLE ROBINSON
Counsel for Defendants