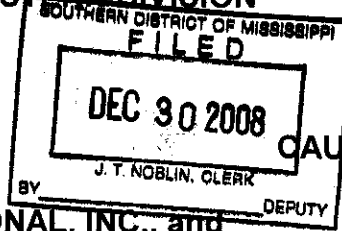


IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

SAFE AUTO INSURANCE COMPANY

PLAINTIFF

V.



CAUSE NO. 5:08CV253DCB-JMR

MARCUS PICKETT, NPC INTERNATIONAL, INC., and  
GERARD W. DONALD and REGINA DONALD

DEFENDANTS

ORDER OF DISMISSAL WITH PREJUDICE

This cause came on for hearing on motion *ore tenus* by the Defendant, to dismiss NPC International, Inc. from this suit, with prejudice, and there being no objection by the Plaintiff; and

This Court, having been advised that Plaintiff and Defendant, NPC International, Inc., have reached an agreement that NPC International, Inc. should be dismissed, conditioned upon and with the understanding that NPC International warrants and agrees that they do not claim that any coverage exists between Plaintiff and Marcus Pickett, and further that they will not later file any pleading or lawsuit, or allege in any other pleading, that any such coverage exists contrary to the allegations set forth in the Complaint filed in this cause.

IT IS, THEREFORE, ORDERED AND ADJUDGED that Defendant, NPC International, Inc., is hereby dismissed, with prejudice, with each side to bear its own costs.

SO ORDERED this the 22<sup>nd</sup> day of December, 2008.

U.S. DISTRICT COURT JUDGE

AGREED TO AND APPROVED BY:

/s/ Myles E. Sharp

Myles E. Sharp, Esq. (MSB No. 100926)  
ATTORNEY FOR PLAINTIFF, SAFE AUTO INSURANCE CO.

/s/ Leland S. Smith

Leland S. Smith, Esq. (MSB No. 7562)  
ATTORNEY FOR DEFENDANT,  
NPC INTERNATIONAL, INC.