

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

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| TRANSGENOMIC, INC., Plaintiff, v. POWER3 MEDICAL PRODUCTS, INC., Defendant. | Case No. 8:10-CV-00079 ORDER OF DISMISSAL WITH PREJUDICE |
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The Court, being fully advised on the premises, finds that the Stipulation to Dismiss with Prejudice submitted by Plaintiff Transgenomic, Inc. and Defendant Power3 Medical Products, Inc. (Doc. No. 94), is true and correct in all respects and should be granted.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that said Stipulation is granted, and that Plaintiff's claims against Defendant are hereby dismissed with prejudice, and Defendant's claims against Plaintiff are hereby dismissed with prejudice, with each party to bear its own attorney fees and costs.

Dated this 12th day of October, 2011.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Court Judge

PREPARED AND SUBMITTED BY:

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