

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKATHRIVENT FINANCIAL FOR  
LUTHERANS and THRIVENT  
INVESTMENT MANAGEMENT, INC.,

Plaintiffs,

vs.

MICHAEL C. HUTCHINSON,

Defendant.

Case No. 8:12CV380

APPROVED  
STIPULATION AND  
CONSENT ORDER

The parties, Thrivent Financial for Lutherans and Thrivent Investment Management, Inc. (collectively, "Thrivent"), and Michael C. Hutchinson, hereby jointly submit this Stipulation and Consent Order for the Court's approval.

**WHEREAS**, on November 6, 2012, this Court issued an Order granting Plaintiffs' Application for Temporary Restraining Order and Preliminary Injunction in part ("Order") (Doc. #23).

**WHEREAS**, on November 15, 2012, this Court approved and entered a Stipulation and Consent Order submitted by the parties, which made certain amendments to the November 6 Order and provided that the Order would remain in effect "at least pending either (a) further order by this Court; or (b) the resolution of the matter at the final evidentiary FINRA hearing on Thrivent's request for, among other things, permanent injunctive relief." (Doc. # 25).

**WHEREAS**, the parties have reached a settlement of their dispute, pursuant to which they wish to extend the term of the Order, as amended, through November 15, 2013, with the Court to retain jurisdiction to enforce the Order.

**NOW, THEREFORE,** the parties hereby stipulate, agree, and jointly move that the Court order as follows:

1. The Court's November 6, 2012 Order granting Thrivent's Application for Temporary Restraining Order and Preliminary Injunction (Doc. #23), as amended by the November 15, 2012 Approved Stipulation and Consent Order (Doc. #25) ("Injunction") shall become a permanent injunction and the final judgment of this Court. The Injunction shall remain in full force and effect, and the parties shall remain bound its terms, through November 15, 2013, notwithstanding any existing date limitations contained in the Injunction as currently written.

2. This Injunction shall expire, without further action of the parties or the Court, at 11:59 p.m. on November 15, 2013.

3. The Court shall retain jurisdiction to enforce the Injunction.

4. The Court shall enter judgment in accordance with this Stipulation.

Dated this 27<sup>th</sup> day of February, 2013.

THRIVENT FINANCIAL FOR  
LUTHERANS and THRIVENT  
INVESTMENT MANAGEMENT, INC.

By: /s/Kyle Wallor  
Kyle Wallor (#21346)  
Cathy Trent-Vilim (#22489)  
LAMSON, DUGAN and MURRAY, LLP  
10306 Regency Parkway Drive  
Omaha, NE 68114  
(402) 397-7300

-AND-

Edward B. Magarian (#208796)  
DORSEY & WHITNEY LLP  
Suite 1500, 50 South Sixth Street  
Minneapolis, MN 55402-1498  
Telephone: (612) 340-2600

MICHAEL C. HUTCHINSON

By: s/ Tara A. Stingley  
Richard P. Jeffries (#20089)  
Tara A. Stingley (#23243)  
CLINE WILLIAMS WRIGHT JOHNSON &  
OLDFATHER, L.L.P.  
One Pacific Place  
1125 South 103<sup>rd</sup> Street, Ste. 600  
Omaha, NE 68124  
(402) 397-1700  
rickjeffries@clinewilliams.com  
tstingley@clinewilliams.com

Dated: March 8, 2013

**SO ORDERED**

By: s/Laurie Smith Camp  
Laurie Smith Camp  
Chief United States District Judge