

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

Urological Surgery Professional Association;)
Urological Surgery Professional Association)
Money Purchase Pension Plan and Trust;)
Urological Surgery Professional Association)
Profit Sharing Plan and Trust;)
Edward A. Chibaro, M.D., as Trustee)
Edward A. Chibaro, M.D., as Participant and)
Plan Beneficiary)
)
v.)
)
Fecteau Benefits Group, Inc.)
Thomas B. Fecteau, Individually;)
William Mann Company, Inc.; and)
William M. Prizer, III, Individually)

Civil Action No. 1:08-cv-241-LM

STIPULATION FOR PARTIAL DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1) and Local Rule 41.1, the undersigned parties, by and through their respective counsel, hereby agree and stipulate that this action be and hereby is dismissed, with prejudice, with respect to the defendants Fecteau Benefits Group, Inc. and Thomas B. Fecteau. Each undersigned party to bear its own costs and all rights of appeal and to attorneys' fees have been waived.

STIPULATED AND AGREED TO:

UROLOGICAL SURGERY PROFESSIONAL ASSOCIATION, THE UROLOGICAL SURGERY PROFESSIONAL ASSOCIATION MONEY PURCHASE PENSION PLAN AND TRUST, THE UROLOGICAL SURGERY PROFESSIONAL ASSOCIATION PROFIT SHARING PLAN AND TRUST, AND EDWARD A. CHIBARO, M.D., AS TRUSTEE AND AS PLAN PARTICIPANT AND BENEFICIARY

By their attorneys,

DEVINE, MILLIMET & BRANCH,
PROFESSIONAL ASSOCIATION

Dated: March 25, 2011

By: /s/ Joshua M. Wyatt
Alexander J. Walker, Jr. (#9404)
Joshua M. Wyatt (#18603)
111 Amherst Street
Manchester, NH 03101
(603) 669-1000
awalker@devinemillimet.com
jwyatt@devinemillimet.com

FECTEAU BENEFITS GROUP
AND THOMAS B. FECTEAU

By their attorneys,

CLEVELAND WATERS AND BASS, P.A.

Dated: March 25, 2011

By: /s/ William Pribis
William Pribis (#11348)
Cleveland Waters and Bass, PA
Two Capital Plaza, PO Box 1137
(603) 224-7761
pribisw@wbpa.com

Dated at Concord, New Hampshire, this 25 day of March, 2011.

SO ORDERED:

/s/ Landya McCafferty
Landya McCafferty
United States Magistrate Judge