UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

DOUGLAS L. ROBINSON,

Plaintiff.

STIPULATION OF DISCONTINUANCE

Civil Action No.: 08-CV-136

-against-

DELAWARE & HUDSON RAILWAY COMPANY, INC. d/b/a CP RAIL,

GTS/DRH

Defendant.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of this action, any and all claims against the defendant, and the same are hereby discontinued, with prejudice and on the merits, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

DATED:

February 7, 2011

DAVIS LAW FIRM, P.C.

McNAMEE, LOCHNER, TITUS & WILLIAMS, P.C.

By:

Attorneys for Plaintiff

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Attorneys for Defendant

677 Broadway

P.O. Box 459

Albany, New York 12201-0459

IT IS SO ORDERED

Glénn T. Suddáby

U.S. District, Judge

(M0408445.1)

Dated:

McNAMEE, LOCHNER, TITUS & WILLIAMS, P.C. . 677 BROADWAY . P.O. BOX 459