

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MATERIAL HANDLING PRODUCTS CORPORATION

Plaintiff/Counter -Defendant,

v.

NACCO MATERIALS HANDLING GROUP, INC., d/b/a
Yale Materials Handling Corporation,

Defendant/Counter-Claimant.

**STIPULATION OF
DISCONTINUANCE**

Civil Case No.: 1:11-cv-118
(GTS/DHR)

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the above-entitled action, 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 the action, the above-entitled action be, and the same hereby is discontinued, with prejudice, and without costs to either party as against the other.

This stipulation may be filed without further notice with the Clerk of the Court.

DATED: October 13, 2011

PHILLIPS LYTTLE LLP

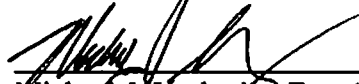
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DATED: October ____, 2011

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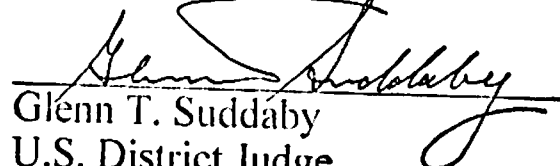
By:


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and

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IT IS SO ORDERED:


Glenn T. Suddaby
U.S. District Judge
Dated: 10/26/11