UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

MINNESOTA LIFE INSURANCE COMPANY,

Plaintiff,

-*vs*-

DEBORAH KOPPENS AND CRAIG KOPPENS, Individually,

AMENDED STIPULATION TO DISCONTINUE

Civil Action No. 1:15-CV-00929 (FJS/CFH)

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all parties that whereas no party hereto is an 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 plaintiff's complaint, together with any and all claims asserted by or between the defendants, be and the same hereby is, discontinued in its entirety, on the merits and with prejudice, without costs to either party.

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

DATED: January 12, 2016

BARCLAY DAMON, LLP

/s/James P. Evans James P. Evans, Esq. Attorneys for Plaintiff Minnesota Life Insurance Company 300 South State Street Syracuse, New York 13202 Telephone: (315) 425-2827 E-Mail: jevans@barcalaydamon.com

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/s/Carlo A. C. de Oliveria

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/s/Charles V. Cusimano, III

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IT IS SO ORDERED: Jullin

Frederick J. Scullin, Jr. Senior U.S. District Judge

Dated: January 13, 2016 Syracuse, NY

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