

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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TUMAC LUMBER COMPANY, INC.

Plaintiff,

No.3:11-cv-0698  
(DNH/DEP)

vs.

CHENANGO VALLEY PET FOODS, INC.,

Defendant.

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**ORDER OF DISMISSAL**

Pursuant to Fed. R. Civ. P 41(a), the Court, being advised that the parties entered into a Settlement Agreement on February 6, 2012 with respect to all claims and all parties, HEREBY ORDERS:

This action is hereby DISMISSED without prejudice pursuant to the Settlement Agreement. The Court retains jurisdiction to enforce the Settlement Agreement or adjudicate alleged violations of the Settlement Agreement and to award appropriate relief as more fully described in the Settlement Agreement. If no such motion is pending on the date when final payment is made pursuant to the Settlement Agreement, this order of dismissal shall automatically convert to dismissal with prejudice.

IT IS SO ORDERED:

Dated: \_\_\_\_\_, 20\_\_\_\_

  
\_\_\_\_\_  
David E. Peebles  
U.S. Magistrate Judge

Dated: February 15, 2012