

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

LIFE INSURANCE COMPANY OF  
NORTH AMERICA,

Plaintiff,  
vs.

CIVIL NO. 5:06-cv-946

JODEAN M. HARRELL, CRYSTAL HARRELL,  
NIKKI HARRELL and ESTATE OF  
DAVID HARRELL,

Defendants.

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Appearances:

For Defendant Jodean M. Harrell  
Jodean M. Harrell, Pro Se  
19 Grover Street  
East Syracuse, New York 13057

For Defendants Crystal Harrell,  
Nikki Harrell and Estate of David Harrell:  
RINALDI LAW OFFICE  
University Building  
120 East Washington Street  
Suite 422  
Syracuse, New York 13202

Glenn T. Suddaby, U.S. District Judge

Of Counsel:

Angelo J. Rinaldi, Esq.

**JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT**

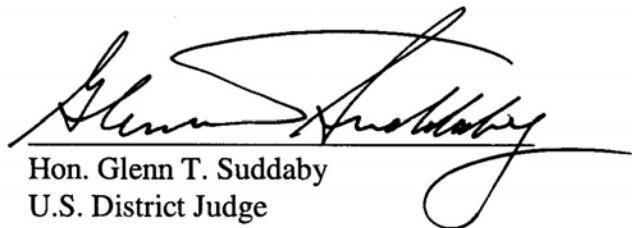
The Court having held a pretrial conference on 2/25/09 and having been advised by counsel and Pro Se defendant Jodean M. Harrell that the parties in this action have entered into an agreement in settlement of all claims in this action, and that they reasonably anticipate finalizing their agreement shortly, following which this action will be discontinued, with prejudice, by stipulation pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil

Procedure. Counsel has also advised that no infant or incompetent is a party to this action. Based upon this development, I find that it is not necessary for this action to remain on the calendar of the Court. It is therefore hereby

**ORDERED** that this action is **DISMISSED** in its entirety **without prejudice** pursuant to the procedure as set forth in L.R. 68.2(a) of the Local Rules of this court. This judgment is issued without prejudice to the right of the parties to secure reinstatement of the case within thirty (30) days after the date of this judgment by making a showing that the settlement was not, in fact, consummated; and in the event that no request is made for reinstatement within thirty (30) days of the date of this judgment, the dismissal of this case shall thereafter be **with prejudice**; and it is further

**ORDERED** that the Clerk shall serve copies of this Judgment upon the attorneys for the parties appearing in this action.

Dated: February 25, 2009  
Syracuse , New York



Hon. Glenn T. Suddaby  
U.S. District Judge