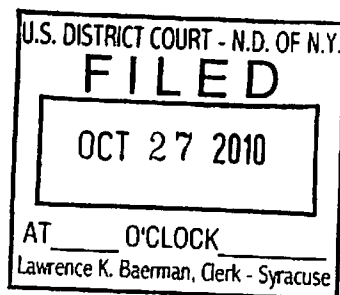


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK



\_\_\_\_\_  
)  
)  
)  
**STARING, et al.,** )  
)

**Plaintiffs,** )  
)

v. )  
)

**TRANSPORT EMPLOYERS** )  
**ASSOCIATION, et al.,** )  
)

**Defendants.** )  
)  
)  
\_\_\_\_\_

**Civil Action No. 5:10-cv-285**  
**(GTS-ATB)**

**JOINT STIPULATION OF DISMISSAL WITH PREJUDICE**

Plaintiffs and Counterclaim Defendants Gary R. Staring, John Bulgaro, Ronald G. Lucas, and Steven S. Mazza, by their attorneys; and Defendant and Counterclaim Plaintiff Michael S. Scalzo, Sr., as well as Defendants Transport Employers Association, Robert L. Schaeffer, Jr., John Doe No. 1 and John Doe No. 2, by their attorneys, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), hereby jointly stipulate and agree that this action shall be dismissed with prejudice, without an award of fees or costs of suit to either party.

Dated: October 25, 2010

BLITMAN & KING LLP

/s/ James R. LaVaute  
James R. LaVaute, Esq.  
Franklin Center, Suite 300  
443 North Franklin Street

Syracuse, New York 13204  
Telephone: (315) 422-7111  
Facsimile: (315) 471-2623  
jrlavaute@bklawyers.com

*Counsel for Plaintiffs &  
Counterclaim Defendants*

MORGAN, LEWIS & BOCKIUS LLP

/s/ Charles P. Groppe  
Charles P. Groppe, Esq.  
1111 Pennsylvania Avenue, NW  
Washington, D.C. 20004  
Telephone: (202) 739-3000  
Facsimile: (202) 739-3001  
cgroppe@morganlewis.com

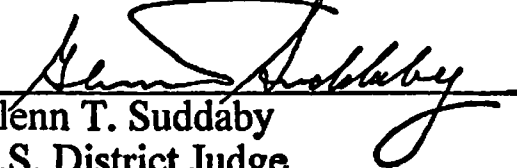
-and-

BOND, SCHOENECK & KING, PLLC

Edward R. Conan, Esq.  
One Lincoln Center  
Syracuse, NY 13202-1355  
Telephone: 315-218-8000  
Facsimile: 315-218-8100  
econan@bsk.com

*Counsel for Defendants and Counterclaim  
Plaintiff Scalzo*

IT IS SO ORDERED:

  
Glenn T. Suddaby  
U.S. District Judge  
Dated: 10/27/10