

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Master File No. 1:00-1898

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MDL No. 1358 (SAS)  
M21-88

In re: Methyl Tertiary Butyl Ether  
("MTBE") Products Liability Litigation

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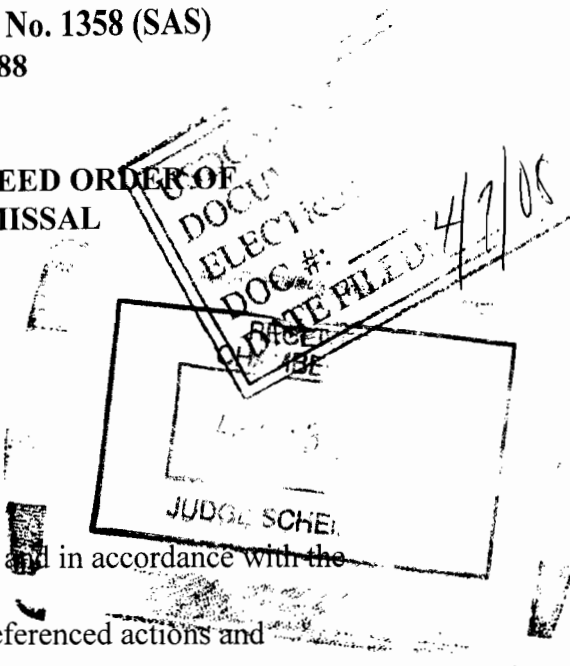
AGREED ORDER OF  
DISMISSAL

This Document Relates To:

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City of Galva, City of Ida Grove and Sioux City v.  
Ashland, Inc., et al.; 04 Civ. 1723

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Pursuant to Federal Rule of Civil Procedure Rule 41(a)(2) and in accordance with the  
Tolling Agreement entered by the parties, Plaintiff in the above-referenced actions and

Defendants Fauser Oil Co., Inc., Keck, Inc., and Mulgrew Oil Co. respectfully request that the  
Court enter this voluntary dismissal. Plaintiff and Defendants Fauser Oil Co., Inc., Keck, Inc.,

and Mulgrew Oil Co. agree to the dismissal and that such dismissal is without prejudice, with  
each party to bear its own attorney's fees and costs.

The Court, having considered the foregoing representations, is of the opinion and does  
hereby dismiss without prejudice Defendants Fauser Oil Co., Inc., Keck, Inc., and Mulgrew  
Oil Co. in the manner heretofore described. Plaintiff reserves all other rights as against all  
other defendants.

Entered this 4 day of April, 2008.

Honorable Shira A. Scheindlin

In Re: Methyl Tertiary Butyl Ether ("MTBE") Products Liability Litigation

Doc. 1792

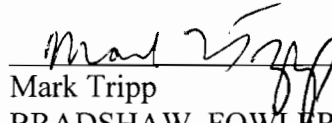
Respectfully submitted by:



Scott Summy (Texas Bar No. 19507500)  
Stephen Johnston (Texas Bar No. 00796839)  
BARON & BUDD, P.C.  
3102 Oak Lawn Avenue, Suite 1100  
Dallas, Texas 75219-4281  
Telephone: (214) 521-3605  
Facsimile: (214) 520-1181

Robert J. Gordon  
Robin Greenwald  
WEITZ & LUXENBERG, P.C.  
180 Maiden Lane, 17th Floor  
New York, New York 10038-4925  
Telephone: (212) 558-5500  
Facsimile: (212) 558-5506

*Attorneys for Plaintiffs*



Mark Tripp  
BRADSHAW, FOWLER, PROCTOR & FAIRGRAVE, P.C.  
801 Grand Avenue, Suite 3700  
Des Moines, Iowa 50309  
Tel: (515) 246-5871  
Fax: (515) 246-5808

*Attorney for Defendants Mulgrew Oil Co., Keck, Inc. and  
Fauser Oil Co., Inc.*

**DECLARATION OF SERVICE**

I, Shelly Shetler, hereby declare under perjury of law that a true copy of

**AGREED ORDER OF DISMISSAL**

was served via e-mail, pursuant to Judge Shira A. Schiendlin's Case Management Order dated April 1, 2004 [Section IV], upon Peter Sacripanti, Esq., to serve in his capacity as liaison counsel, on the 2<sup>nd</sup> day of April, 2008.

  
SHELLY SHETLER