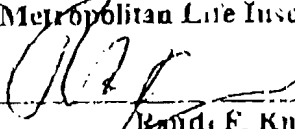


McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP  
Attorneys at Law  
Three Gateway Center  
100 Mulberry Street  
Newark, New Jersey 07102  
Attorneys for Defendants,  
ING Financial Services Corporation Welfare  
Benefit Plan, ING Financial Services Corporation,  
and Metropolitan Life Insurance Company

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DATE FILED: 4/1/09

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CHAMBERS OF  
APR 01 2009  
JUDGE SCHEINDLIN

By:   
Randi E. Knepper

PHILIP MANGERINO, : UNITED STATES DISTRICT COURT  
: SOUTHERN DISTRICT OF NEW YORK  
:  
Plaintiff, :  
:  
: CIVIL ACTION NO.: 08-8974 (SAS)  
:  
v. :  
:  
THE ING FINANCIAL SERVICES :  
CORP. WELFARE BENEFIT PLAN, :  
ING FINANCIAL SERVICES CORP., :  
as Plan Administrator, and THE :  
METROPOLITAN LIFE INSURANCE :  
COMPANY, :  
:  
Defendants :  
:  
:

CIVIL ACTION – CONSENT ORDER OF DISMISSAL

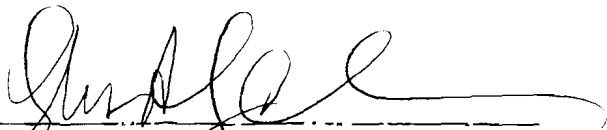
THIS MATTER having been opened to the Court upon the application of McElroy, Deutsch, Mulvaney & Carpenter, LLP, attorneys for defendants, ING Financial Services Corporation Welfare Benefit Plan, ING Financial Services Corporation and Metropolitan Life Insurance Company, upon notice to and with the consent of DeHaan Busse, LLP, attorneys for plaintiff, Philip Mangerino, and the Court having reviewed all pleadings and proceedings in this matter, having noted

the consent of counsel and finding of good cause existing for the entry of the within Order;

IT IS on this 1 day of April, 2009

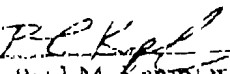
**ORDERED** that this civil action be and the same hereby is dismissed with prejudice and without attorneys' fees or costs assigned to the parties; and be it further

**ORDERED** that the Court shall retain jurisdiction limited to any action or proceeding brought by any party seeking to enforce the terms and provisions of the settlement between the parties.

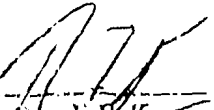
  
Hon. Shira A. Scheindlin, U.S.D.J.

The undersigned attorneys hereby consent to the form, content and entry of the within Order:

**DeHAAN BUSSE, LLP**  
Attorneys for Plaintiff,  
Philip Mangerino

By:   
Paul M. Kapter, Esq.

**MCCELROY, DEUTSCH, MULVANEY  
& CARPENTER, LLP**  
Attorneys for Defendants,  
ING Financial Services Corporation Welfare  
Benefit Plan, ING Financial Services Corporation  
and Metropolitan Life Insurance Company

By:   
Arndt R. Knepper, Esq.