

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
GUCCI AMERICA, INC.

Plaintiff,

-against-

FRONTLINE PROCESSING CORPORATION;  
WOODFOREST NATIONAL BANK; DURANGO  
MERCHANT SERVICES LLC d/b/a NATIONAL  
BANKCARD SYSTEMS OF DURANGO; ABC  
COMPANIES; and JOHN DOES,

Defendants.  
-----X

09 Civ. 6925 (HB)

**STIPULATION AND ~~PROPOSED~~  
ORDER OF DISMISSAL PURSUANT  
TO FED. R. CIV. P. 42(a)(2)**

This matter is before the Court on the joint application of Plaintiff Gucci America, Inc. ("Gucci") and Defendant Frontline Processing Corporation ("Frontline").

WHEREAS, Gucci commenced the above-captioned action by the filing of a Complaint on or about August 5, 2009; and

WHEREAS, on or about October 30, 2009, the Defendants moved to dismiss the Complaint; and

WHEREAS, on or about June 23, 2010, the Court entered an order denying Defendants' motion to dismiss; and

WHEREAS, Gucci and Frontline entered into a confidential settlement agreement providing for the release of Gucci's claims against Frontline; and

WHEREAS, without admitting any factual or legal allegation, claim alleged, or defense asserted, Gucci and Frontline have consented to the entry of this Dismissal Order pursuant to Federal Rule of Civil Procedure 41(a)(2).

NOW, THEREFORE, it is hereby ORDERED, ADJUDGED and DECREED that:

1. All claims asserted by Gucci against Frontline are dismissed with prejudice;
2. Each of the Parties shall bear its own costs, expenses and attorney' fees associated with the prosecution and defense of this action;
3. This Court shall retain jurisdiction over this matter for purposes of enforcement of the terms of the parties' confidential settlement agreement, which are incorporated herein by reference; and
4. All unresolved pending motions in this action between Gucci and


*Adm from my docket. & the clerk is instructed to remove this lawsuit*

Frontline shall be denied as moot.

SO STIPULATED AND AGREED.

Dated: August 27, 2010

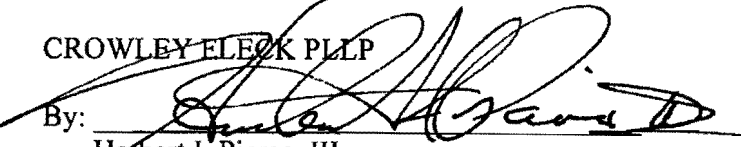
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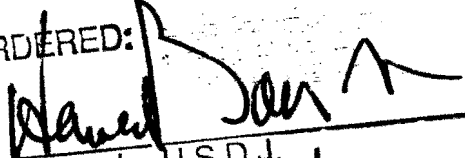
*Attorneys for Plaintiff Gucci America, Inc.*

Dated: August 19, 2010

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*Attorneys for Defendant Frontline Processing Corporation*

SO ORDERED:   
 Harold Baer, Jr., U.S.D.J.  
 Date: 10/1/10