

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION**

**Case No. 4:10-cv-142-D**

<hr/>		)	
<b>MARK DANIEL LYTTLE,</b>	)	)	
	)	)	<b>STIPULATION AND JOINT MOTION</b>
<b>Plaintiff,</b>	)	)	<b>FOR ORDER OF DISMISSAL</b>
	)	)	<b>WITH PREJUDICE</b>
<b>v.</b>	)	)	
	)	)	
<b>UNITED STATES OF AMERICA, et al.,</b>	)	)	<b>Fed. R. Civ. P. 41</b>
	)	)	
<b>Defendants.</b>	)	)	
<hr/>		)	

**STIPULATION AND JOINT MOTION FOR  
ORDER OF DISMISSAL WITH PREJUDICE**

Pursuant to Rule 41 of the Federal Rules of Civil Procedure, plaintiff hereby stipulates that this case has been resolved by settlement and agrees to a dismissal with prejudice of all claims against all federal defendants. Accordingly, these parties jointly request that the Court enter an Order of Dismissal consistent therewith, with each party bearing their own costs, expenses, and attorney’s fees.

Respectfully submitted this 2nd day of October 2012,

STUART F. DELERY  
Acting Assistant Attorney General, Civil Division

RUPA BHATTACHARYYA  
Director, Torts Branch

C. SALVATORE D’ALESSIO, JR.  
Assistant Director, Torts Branch

/s/ James R. Whitman

JAMES R. WHITMAN  
D.C. Bar No. 987694  
Trial Attorney  
United States Department of Justice  
Torts Branch, Civil Division  
P.O. Box 7146, Ben Franklin Station  
Washington, D.C. 20044-7146  
Tel: (202) 616-4169  
Fax: (202) 616-4314  
E-mail: james.whitman@usdoj.gov

DAVID G. CUTLER  
Trial Attorney, Civil Division, Torts Branch

GEORGE E.B. HOLDING  
United States Attorney

W. ELLIS BOYLE  
Assistant United States Attorney  
Civil Division  
310 New Bern Avenue  
Suite 800 Federal Building  
Raleigh, NC 27601-1461  
Tel: (919) 856-4530  
Fax: (919) 856-4821  
E-mail: ellis.boyle@usdoj.gov  
N.C. Bar No. 33826

*Attorneys for all Federal Defendants*

Approved by Brian P. Watt via e-mail on October 1, 2012

MICHAEL E. JOHNSON  
BRIAN P. WATT  
Troutman Sanders LLP  
Bank of America Plaza, Suite 5200  
600 Peachtree Street, N.E.  
Atlanta, Georgia 30308-2216  
Tel: (404) 885-3646  
Tel: (404) 885-3203

*Attorneys for Plaintiff Mark Daniel Lyttle*