

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

CIVIL ACTION No. 5:09-CV-263-FL

GORDON E. BOYCE, PATRICIA A.
BOYCE, and OTHER CUSTOMERS OF
WACHOVIA SECURITIES, LLC,
SIMILARLY SITUATED to be NAMED
CLASS MEMBERS

Plaintiffs,

vs.

WACHOVIA SECURITIES, LLC,
JEFFREY BEAVER, JAMES W.
APPLEWHITE, III, and BILL
BRYANT,

Defendants.

ORDGER GRANTING DISMISSAL OF
CLASS CLAIMS WITHOUT PREJUDICE

Presently before the Court is the joint motion of the parties, pursuant to Rule 41 of the
Federal Rules of Civil Procedure, seeking dismissal of the class claims in this action without
prejudice. Having reviewed the joint motion and considered this matter under the governing
standard of Shelton v. Pargo, Inc., 582 F.2d 1298, 1314 (4th Cir. 1978), the Court is satisfied
that the joint motion should be granted.

ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

- 1. Class claims asserted in this action are hereby dismissed without prejudice.

IT IS SO ORDERED this 23rd day of August, 2010.

[Handwritten signature of Louise W. Flanagan]

LOUISE W. FLANAGAN
Chief United States District Judge