UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA

MILLIKEN & COMPANY,

Case No.:

3:08-CV-578-RLV-DSC

Plaintiff,

٧,

CNA HOLDINGS, INC. and CELANESE AMERICAS CORPORATION,

Defendants.

STIPULATION AND PROPOSED ORDER OF VOLUNTARY DISMISSAL

KASOWITZ, BENSON, TORRES &

IT IS HEREBY STIPULATED AND AGREED that this action is voluntarily dismissed and discontinued, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, in all

respects, with prejudice, and without costs or attorneys' fees to either party.

Cory Holmbaum

KING & SPALDING, LLP 227 W. Trade Street, Suite 600

Charlotte, NC 28202

Telephone: (704) 503 2600 Facsimile: (704) 503 2622 chohnbaum@kslaw.com 54

Attorneys for Plaintiff

Attorneys for Defendants

htorres@kasowitz.com

Hector Torres

1633 Broadway

FRIEDMAN LLP

New York, NY 10019

Telephone: (212) 506-1730

Facsimile: (212) 506-1800

Dated: Charlotte, NC

August /2, 2011

SO ORDERED

Hon. Richard L. Voorhees

United States District Judge