

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO**

|                             |   |                          |
|-----------------------------|---|--------------------------|
| 216 JAMAICA AVENUE, LLC,    | ) |                          |
|                             | ) | Civil Action No. 06-1288 |
| Plaintiff,                  | ) |                          |
|                             | ) | (Judge Boyko)            |
| v.                          | ) |                          |
|                             | ) |                          |
| S & R PLAYHOUSE REALTY CO., | ) |                          |
|                             | ) |                          |
| Defendant.                  | ) |                          |

**JOINT STIPULATION OF DISMISSAL WITH PREJUDICE**

On August 17, 2009, Plaintiff and Defendant entered into a settlement and mutual release of claims (“Settlement Agreement”). Pursuant to the Settlement Agreement, Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and the Court’s minute order of August 5, 2009, the parties hereby stipulate to the dismissal of this case with prejudice. Further, pursuant to the Settlement Agreement, the parties shall bear their own costs and attorney’s fees.

August 19, 2009

Respectfully Submitted,

/s/ Stephen D. Williger

/s/ Charles J. Cooper

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**CERTIFICATE OF SERVICE**

I hereby certify on August 19, 2009, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt.

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