IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

DAYTON PULMONARY

CASE NO. 3:10-CV-00128

REHABILITATION CENTER,

INC., et al.

Judge Timothy S. Black

Plaintiffs,

MERIDIAN HEALTH CARE GROUP, :

INC., et al.

:

Defendants.

MUTUAL DISMISSAL OF ALL CLAIMS BY AND BETWEEN PLAINTIFFS AND DEFENDANT MERIDIAN HEALTHCARE GROUP, INC.

On agreement of Plaintiffs Dayton Pulmonary Rehabilitation Center, Inc. n/k/a Dayton Rehabilitation Center, LLC and GYP Holdings, LLC (collectively "Plaintiffs") and Defendant Meridian Healthcare Group, Inc. ("Meridian"):

IT IS ORDERED, ADJUDGED, AND DECREED that, pursuant to Fed.R.Civ.P. 41(a)(2) and 41(c), all claims, counterclaims, and requests for relief of any kind as between Plaintiffs and Meridian are hereby dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that nothing in this dismissal shall affect in any way any of the claims, counterclaims, or requests for relief of any kind as between Plaintiffs and Defendant PulmoRehab, LLC d/b/a Meridian.

SO ORDERED:

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APPROVED BY:

/s/Gregory B. O'Connor 09/29/11

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