

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

**CELIA BOEHMER and RICHARD
BOEHMER,**

Plaintiffs,

V.

**STATE FARM FIRE AND CASUALTY
COMPANY**

Defendant.

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CASE NO. CIV-09-318-JHP

JURY DEMANDED

AGREED FINAL JUDGMENT

ON THIS DAY, this case came before the Court for final adjudication of all claims which were or could have been asserted herein among and between Plaintiffs, Celia and Richard Boehmer (“Plaintiffs”), and Defendant State Farm Fire and Casualty Company (“Defendant”). The Plaintiffs and Defendant shall be referred to collectively as the “Parties,” and individually as a “Party.” Due notice having been given; evidence, stipulations, arguments and final adjudication of all claims were presented to the Court; and the issues dealt with herein and all Claims were submitted to the Court for final adjudication and resolution. After considering same and applicable law, IT IS HEREBY FOUND, ORDERED, ADJUDGED AND JUDICIALLY NOTICED AND DECREED as follows:

1. The Parties have now reached a settlement of all claims in this action pursuant to which Defendant will pay a confidential sum to Plaintiffs.
2. All Parties have fully informed themselves (by, *inter alia*, consulting competent and qualified attorneys of their own choosing) about the facts alleged in this case; the nature and extent of each Party’s alleged damages (whether actual or potential); and all potential liability of other Parties therefore.

3. With such knowledge, and without reliance on any extrinsic representation by any party, all Parties have freely, voluntarily and knowingly agreed to entry of this Judgment to resolve all actual and potential claims asserted or which could have been asserted herein, in accord with the Parties' settlement agreement. The Parties stipulate, and the Court finds, any verdict which was rendered or could have been rendered in this case is null and void and shall have no effect whatsoever.

4. The Parties no longer desire to prosecute any claims or defenses in this case, and have freely and voluntarily requested the Court to enter this Judgment.

5. The record, stipulations, evidence, applicable law and arguments of counsel establish ample good cause for the granting of the subject Motion in its entirety.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that execution of this Judgment shall completely release, waive, acquit, and discharge every Party and all its respective assigns; predecessors; successors; employees; affiliated, parent and subsidiary companies; heirs; attorneys; officers, and directors from all claims of and any obligations (except for any claims or rights arising out of the aforementioned settlement agreement) to any adverse Party related to any claims or any other matter sued upon or which could have been sued upon in this case.

IT IS FINALLY ORDERED, ADJUDGED, and DECREED that: Plaintiffs and Defendant are **DENIED** all relief which is not expressly granted by this Judgment as against each other; each Party shall bear its own costs and attorneys' fees; and this is a Final Judgment of the Court as to all claims and this Lawsuit.

SO ORDERED AND SIGNED, this, the 27th day of September, 2010.

A handwritten signature in black ink, appearing to read "James H. Payne". The signature is written in a cursive style with a large, prominent initial "J".

JAMES H. PAYNE
CHIEF JUDGE OF THE UNITED STATES
DISTRICT COURT, EASTERN DISTRICT
OF OKLAHOMA