

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

MORGAN STANLEY SMITH BARNEY, )  
LLC, a Delaware Limited Liability Company, )  
 )  
Plaintiff, )

Case No. CIV-12-108-JHP

v. )

FIRST UNITED BANK AND TRUST )  
COMPANY, NATIONAL ASSOCIATION, )  
a Federally Chartered Banking Institution, )  
 )  
Defendant. )

**ORDER OF DISMISSAL**

This matter comes before the Court on the parties’ Stipulation for Dismissal with Prejudice [Doc. No. 63]. The Court, being fully advised in the premises, finds that all claims, counterclaims and defenses each party has asserted against the other in this proceeding should be dismissed with prejudice to the filing of future actions and that each party shall bear their respective costs and attorneys’ fees incurred in this action.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the all claims, counterclaims and defenses each party has asserted against the other are hereby dismissed with prejudice to the filing of future actions.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each party shall bear their own costs and attorneys’ fees.

IT IS SO ORDERED this 24th day of April, 2013.

  
James H. Payne  
United States District Judge  
Eastern District of Oklahoma