

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

**BLACKWATER SECURITY,
CONSULTING, LLC, ET AL.**
Plaintiffs,

v.

**WESTCHESTER SURPLUS LINES
INSURANCE COMPANY, ET AL.**
Defendants.

CIVIL ACTION NO. 05-CV-6020

ORDER

AND NOW, this ____ day of January, 2008, upon consideration of the Stipulation of submitted by Plaintiffs Blackwater Security Consulting, LLC and Blackwater Lodge and Training Center, Inc. (collectively, “Plaintiffs”), and Defendant Evanston Insurance Company (“Evanston”), **IT IS HEREBY ORDERED** that Evanston is **DISMISSED** from this action with prejudice. It is **FURTHER ORDERED** that Evanston’s Counterclaim against the Plaintiff is **DISMISSED WITH PREJUDICE**(Docs. 58, 59, and 68) and Plaintiff’s Motion for Partial Summary Judgment on the Duty to Defend is **DISMISSED AS MOOT** (Docs 53, 63). Each party is to bear its own costs and attorneys’ fees.

BY THE COURT:

/s/ **Petrese B. Tucker**

Hon. Petrese B. Tucker, U.S.D.J.