

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DALE R. KIMBERLY and  
DIANE KIMBERLY, his wife,  
KIMBERLY CONTRACTING SERVICES,

Plaintiffs,

v.

THE BOROUGH OF WEST NEWTON, et  
al.,

Defendants.

Civil Action No. 2:08-cv-00603

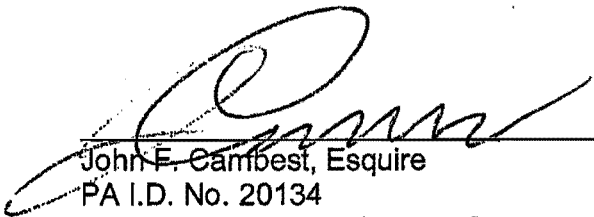
JUDGE GARY L. LANCASTER


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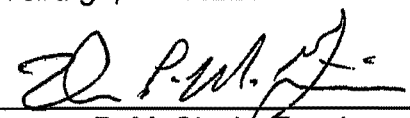
**STIPULATION FOR DISMISSAL AS TO DEFENDANT DAVID FERGUSON**

Plaintiffs and Defendants hereby stipulate and agree that the claims asserted by or on behalf of David Ferguson herein should be dismissed with prejudice.

Respectfully submitted,

  
John E. Cambest, Esquire  
PA I.D. No. 20134  
Dodaro Matta & Cambest, P.C.  
1001 Ardmore Boulevard  
Pittsburgh, PA 15221


  
Robert J. Grimm, Esquire  
PA I.D. No. 55381  
Swartz Campbell LLC  
4750 U.S. Steel Tower  
600 Grant Street  
Pittsburgh, PA 15219

  
Thomas P. McGinnis, Esquire  
PA I.D. No. 46666  
Thomas, Thomas & Hafer LLP  
One Oxford Centre  
301 Grant Street  
Suite 1150  
Pittsburgh, PA 15219

**ORDER**

AND NOW, this 27<sup>th</sup> day of July, 2009 IT IS SO ORDERED.

BY THE COURT:

  
GARY L. LANCASTER, J.  
UNITED STATES DISTRICT JUDGE