

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

KOPPERS, INC.,

Plaintiff/Counterclaim Defendant

v.

ENERGY RESOURCES GROUP, INC.,

Defendant/Counterclaim Plaintiff.

Case No. 2:09-cv-459

Chief Judge Gary L. Lancaster

JOINT STIPULATION OF DISMISSAL

The parties to the above-captioned action, by their undersigned counsel and pursuant to Rule 41 of the Federal Rules of Civil Procedure, hereby stipulate to the dismissal, with prejudice, of this action, including all claims and counterclaims, with each party to bear its own costs and fees.

<p>METZ LEWIS BRODMAN MUST O'KEEFE LLC</p> <p>By: <u>/s/ Kenneth S. Kornacki</u> Brian T. Must, (PA I.D. No. 49657) Kenneth S. Kornacki (PA I.D. No. 83739)</p> <p>11 Stanwix Street, 18th Floor Pittsburgh, PA 15222 412-918-1100 (phone) 412-918-1199 (fax) bmust@metzlewis.com kkornacki@metzlewis.com</p> <p><i>Attorneys for Plaintiff/Counterclaim Defendant Koppers, Inc.</i></p>	<p>BUCHANAN INGERSOLL & ROONEY PC</p> <p>By: <u>/s/ Jordan M. Webster</u> Stanley J. Parker (PA I.D. No. 66013) Jordan M. Webster (PA I.D. No. 200715) One Oxford Centre, 20th Floor 301 Grant Street Pittsburgh, PA 15219 412-562-8800 (phone) 412-562-1041 (fax) stanley.parker@bipc.com jordan.webster@bipc.com</p> <p>Stephen H. Roberts, Esquire (Admitted <i>pro hac vice</i>) Hoefle, Phoenix, Gormley & Roberts P.A. 402 State Street, P.O. Box 4480 Portsmouth, NH 03802-4480 (603) 436-0666 sroberts@hpgrlaw.com <i>Attorneys for Defendant/Counterclaim Plaintiff Energy Resources Group, Inc.</i></p>
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SO ORDERED, this 17th day of January, 2012.

G L Lancaster, C.J.

Hon. Gary L. Lancaster, Chief U.S. District Judge