

move for an order dismissing all claims and counterclaims in this action WITH PREJUDICE, with each party to bear its own costs, expenses and attorneys fees.

AGREED:

/s/ Tyler K. Brochstein (with permission)

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Dated: March 15, 2010

CERTIFICATE OF SERVICE

The undersigned certifies that on this 15th day of March, 2010, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document through the Court's CM/ECF system under Local Rule Cv-5(a)(3). Any other counsel of record will be served via first class mail and/or facsimile.

/s/ Michael J. Newton
Michael J. Newton