

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

DR PEPPER/SEVEN UP, INC.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Case No. 4:11cv398
	§	
DR. PEPPER BOTTLING COMPANY OF	§	
DUBLIN, INC. D/B/A DR PEPPER	§	
BOTTLING COMPANY OF DUBLIN,	§	
TEXAS,	§	
	§	
Defendant.	§	

STIPULATION OF DISMISSAL

Plaintiff Dr Pepper/Seven Up, Inc. (“DPSU”) and Defendant Dr Pepper Bottling Company of Dublin, Inc. (“DPBD”) have agreed to dismiss all claims asserted between them in this case with prejudice in accordance with a confidential Settlement Agreement. Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(1), DPSU stipulates to the dismissal with prejudice of all its claims asserted in this case against DPBD, and DPBD stipulates to the dismissal with prejudice of all its claims asserted in this case against DPSU. The parties further stipulate that they shall bear their own attorneys' fees, expenses, and costs.

Dated: January 12, 2012

Respectfully submitted,

/s/ Van H. Beckwith

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed electronically on January 12, 2012 pursuant to Local Rule CV-5(a) and has been served on all counsel who are deemed to have consented to electronic service.

/s/ Van H. Beckwith

Van H. Beckwith