UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
NOV 23 2005

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| JAMES G. ABOUREZK, an individual; JANE FONDA, an individual; and ROXANNE DUNBAR-ORTIZ, an individual, | * | CIV 03-4146 |
| Plaintiffs, | * | |
| vs. | * | ORDER |
| PROBUSH.COM, INC., a Pennsylvania Corporation; MICHAEL MARINO, an individual; and BEN MARINO, an individual, | * | |
| Defendants. | * | |

The Court has been advised that the case has been settled. Accordingly,

IT IS ORDERED that this action is hereby dismissed with prejudice and without costs, each party to pay their own costs. Any party, on good cause shown on or before December 23, 2005, may move to vacate this Order of Dismissal and reopen this action if settlement is not consummated.

Dated this 23rd day of November, 2005.

BY THE COURT:

Lawrence L. Piersol
Chief Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: Shirley Margulies
DEPUTY