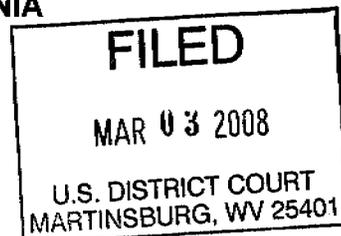


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG



LILLIAN C. ETTER, individually
and as Co-Trustee of the
McClughan Living Trust Dated
June 29, 2001,

Plaintiff,

v.

CIVIL ACTION NO. 3:06-CV-139
(BAILEY)

RANDY B. MAZZOTTI, individually
and as Co-Trustee of the
McClughan Living Trust Dated
June 29, 2001, JULIE MAZZOTTI,
and LACY J. MAZZOTTI,

Defendants.

ORDER DISMISSING CASE

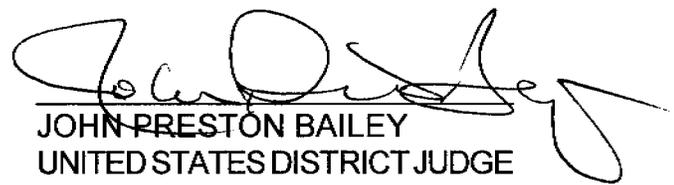
Inasmuch as the mediation report indicates that the parties have reached a settlement agreement on all issues in the above-styled action, it is

ORDERED that this civil action be, and the same is hereby, **DISMISSED** with prejudice and retired from the docket of the Court, subject to reopening on motion of any party, and for good cause shown, within ninety (90) days.

The parties need not submit any additional proposed dismissal or other final order unless it is required by law or is necessary under the terms of any agreement resolving this civil action.

The Clerk is directed to transmit copies of this Order to all counsel of record herein.

DATED: February 28, 2008.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE