UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN

REFRIGERATED FOOD EXPRESS, INC., an Ohio corporation,

Case No. 2:10-cv-14116-PJD Hon. Patrick J. Duggan

Plaintiff,

vs

RAI EXPRESS LINES, LTD.,

Defendant.

Dirk H. Beckwith (P35609) FOSTER SWIFT COLLINS & SMITH, P.C. 32300 Northwestern Highway, Suite 230 Farmington Hills, MI 48334 (248) 539-9918 Attorneys for Plaintiff

John W. Bryant (P-11331) DEAN & FULKERSON 801 W. Big Beaver, Fifth Floor Troy, MI 48084-4767 (248) 362-1300 Attorneys for Defendant

STIPULATION AND ORDER FOR DISMISSAL WITHOUT PREJUDICE

At a session of the court, held in the City of Detroit, State of Michigan, on July 20, 2011.

Present: HON. PATRICK J. DUGGAN United States District Judge

By stipulation of the parties, and for good cause, it is hereby ordered that the within action is dismissed without prejudice, without payment of costs or imposition of sanctions, and with each party to bear its own attorney fees.

> <u>s/Patrick J. Duggan</u> Patrick J. Duggan United States District Judge

Dated: July 20, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on July 20, 2011, by electronic and/or ordinary mail.

<u>s/Marilyn Orem</u> Case Manager 2:10-cv-14116-PJD-RSW Doc # 14 Filed 07/20/11 Pg 2 of 3 Pg ID 45

Approved for entry:

FOSTER SWIFT COLLINS & SMITH, P.C.

DEAN & FULKERSON

By: <u>/s with consent of Dirk H. Beckwith</u> Dirk H. Beckwith (P35609) 32300 Northwestern Hwy., Ste. 230 Farmington Hills, MI 48334 (248) 539-9918 Attorneys for Plaintiff By: /s John W. Bryant John W. Bryant (P-11331) 801 W. Big Beaver, Fifth Floor Troy, MI 48084-4767 (248) 362-1300 Attorneys for Defendant