## = SMITH HAUGHEY RICE & ROEGGE, A Professional Corporation

## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF MICHIGAN

and a series

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### PATRICIA DENHOF & RENEE LeCLEAR,

Plaintiffs.

CASE NO. 1:02 CV 0275

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v.

(Chief) HARRY P. DOLAN, (Lt.) DANIEL MILLS, (Capt.) PAMELA CARRIER, (Lt.) REBECCA WHITMAN, (Lt.) CAROL PRICE, (Sgt.) CHARLOTTE MASON, Individually and in their Official Capacities, KURT KIMBALL, Individually and in his Official Capacity, and GLEN PETERSON, PhD, in his individual capacity, d/b/a MICHIGAN LAW ENFORCEMENT CONSULTANTS and THE CITY OF GRAND RAPIDS,

HON. GORDON J. QUIST

STIPULATION AND ORDER OF
DISMISSAL OF PLAINTIFF
DENHOF'S ACTION AGAINST
DEFENDANT PETERSON WITH
PREJUDICE AND WITHOUT COSTS

Defendants.

Stuart N. Dowty (P34687)
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Karl W. Butterer, Jr. (P51448)
SMITH HAUGHEY RICE & ROEGGE
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### STIPULATION FOR DISMISSAL OF PLAINTIFF DENHOF'S ACTION AGAINST DEFENDANT PETERSON WITH PREJUDICE AND WITHOUT COSTS

NOW COMES plaintiff Patricia Denhof (hereinafter referred to as "Plaintiff Denhof") and defendant Glen Peterson, Ph.D., in any capacity, including his individual capacity and any alleged official capacity, and d/b/a Michigan Law Enforcement Consultants (hereinafter collectively referred to as "Defendant Peterson"), by and through their respective counsel, and hereby stipulate and agree as follows:

- 1. Plaintiff Denhof dismisses with prejudice and without costs this action against Defendant Peterson, including all claims she asserted in this action against Defendant Peterson.
- 2. Plaintiff Denhof has agreed to forgo an appeal of this Court's September 15, 2004
  Opinion and Order on Defendant Peterson's Motion for Summary Judgment, and defendant Peterson has agreed to waive collection of any costs to which he may be entitled.
- 3. Plaintiff Denhof and Defendant Peterson shall each pay for and bear their own attorney fees and costs related to this action, and shall not make claim against one another for recovery of attorney fees, costs, or sanctions related to this action.

[Signatures appear on the following page.]

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DATED: Nov. 10 , 2004 Stuart N. Dowty (P34687) PITT, DOWTY, McGEHEE, MIRER & PALMER, PC Counsel for Plaintiff Denhof 117 W. Fourth Street, Suite 200 Royal Oak, MI 48067 (248) 398-9800 DATED: Nov. 24, 2004 Christine A. Yared (P37472) Counsel for Plaintiff Leclear 4665 Cascade Rd. SE, PMB 280 Grand Rapids, MI 49546 (616) 949-3895. DATED: NOV. 24, 2004 E. Thomas McCarthy, Jr. (P28714) Karl W. Butterer, Jr. (P51448) SMITH HAUGHEY RICE & ROEGGE Counsel for Defendant Peterson 250 Monroe Avenue, Suite 200 Grand Rapids, MI 49503-2251 (616) 774-8000 DATED: Nov. 24, 2004 G. Douglas Walton (P21962) NANTZ, LITOWICH, SMITH & GIRARD Counsel for Municipal Defendants 600 Weyfill Building - 2025 East Beltline Grand Rapids, MI 49546 (616) 977-0077 DATED: NOU 24, ,2004 Laura S. Amtsbuechler (P36972) JOHNSON, ROSATI, LaBARGE, ASELTYNE & FIELD, P.C. Co-Counsel for Municipal Defendants 34405 W. 12 Mile Road - Suite 200 Farmington Hills, MI 48331-5627 (248) 489-4100

[Order appears on the following page.]

# == SMITH HAUGHEY RICE & ROEGGE, A Professional Corporation

## ORDER OF DISMISSAL OF PLAINTIFF DENHOF'S ACTION AGAINST DEFENDANT PETERSON WITH PREJUDICE AND WITHOUT COSTS

At a session of said Court held in the United States District Court, Western District of Michigan, Southern Division, in the City of Grand Rapids, State of Michigan, this 24th date of November, 2004.

PRESENT: HONORABLE GORDON J. QUIST

U.S. District Judge

The Court having reviewed the attached Stipulation signed by counsel for the parties, and being otherwise advised in the premises;

### IT IS ORDERED that:

- 1. This action filed by plaintiff Patricia Denhof ("Plaintiff Denhof") against defendant Glen Peterson, Ph.D., in any capacity, including his individual capacity and any alleged official capacity, and d/b/a Michigan Law Enforcement Consultants ("Defendant Peterson"), including all claims she asserted in this action against Defendant Peterson, is hereby dismissed with prejudice and without costs.
- Plaintiff Denhof has agreed to forgo an appeal of this Court's September 15, 2004
  Opinion and Order on Defendant Peterson's Motion for Summary Judgment, and defendant Peterson has agreed to waive collection of any costs to which he may be entitled.
- 3. Plaintiff Denhof and Defendant Peterson shall each pay for and bear their own attorney fees and costs related to this action, and shall not make claim against one another for recovery of attorney fees, costs, or sanctions related to this action.

Honorable Gordon J. Quist,

U.S. District Judge