

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ANTHONY LUKE, <i>et al.</i> ,)	CASE NO. 1:02 CV 01225
)	
Plaintiffs,)	JUDGE JAMES S. GWIN
)	Magistrate Judge Hemann
vs.)	
)	
CITY OF CLEVELAND, <i>et al.</i> ,)	<u>STIPULATION OF DISMISSAL</u>
)	<u>WITH PREJUDICE</u>
Defendants.)	

We, the attorneys for the respective parties, stipulate under Rule 41 of the Federal Rules of Civil Procedure that this action be dismissed with prejudice against the City of Cleveland, Chief of Fire Paul Stubbs, and former Chief of Fire Kevin Gerrity; including the hold on the promotion of all ranks off the 2002 City of Cleveland Division of Fire Promotional Eligibility List. The parties agree to pay their own costs. The Court may enter an order accordingly, notice by the Clerk being waived.

IT IS SO ORDERED.

s/ James S. Gwin 1/26/07

Judge James S. Gwin