

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

DIAMOND J EQUIPMENT  
INTERNATIONAL, LLC,

Plaintiff,

vs.

MICROBIAL ENHANCED OIL  
RECOVERY, LLC,

Defendant.

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CIVIL ACTION NO.: H-06-0577

**STIPULATION OF DISMISSAL WITHOUT PREJUDICE**

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

The parties to this action have agreed to the dismissal of this case. Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), the parties stipulate to the dismissal of this action without prejudice.

WHEREFORE, the Plaintiff and the Defendant respectfully request that the Court take notice of this Stipulation and that this action be dismissed without prejudice.

Respectfully submitted,

BURLESON COOKE L.L.P.

Respectfully submitted,

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