

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

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ESTATE OF BLANCHE W. BELL,)
ALBERT HARVEY BELL, IV AND)
CLARK DONALD BELL, PERSONAL)
REPRESENTATIVES)
Plaintiff,)
vs.)
THE EPISCOPAL CHURCH HOME,)
d/b/a BISHOP GADSDEN RETIREMENT)
COMMUNITY,)
Defendant)

Case Number: 2:05-1953-DCN-RSC

**CONSENT ORDER OF DISMISSAL
WITH PREJUDICE**

YOU WILL PLEASE TAKE NOTICE that Plaintiff, the Estate of Blanche W. Bell, Albert Harvey Bell, IV, and Clark Donald Bell, as the Personal Representatives, and the Defendant, The Episcopal Church Home, d/b/a Bishop Gadsden Retirement Community, have agreed and do hereby consent to a voluntary dismissal of this action with prejudice with each party to bear its own costs;

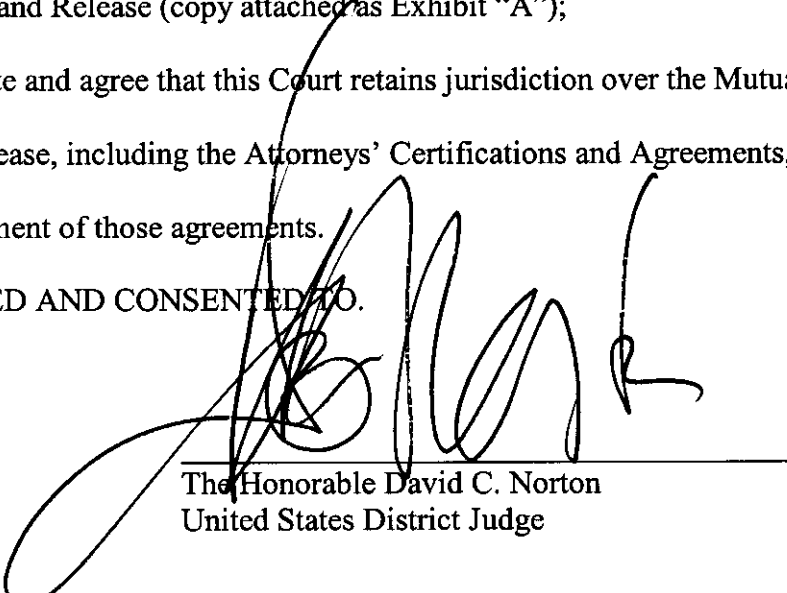
WHEREAS, the parties have entered into a voluntary resolution of this action for the sole purpose of avoiding the expense of litigation and compromising and settling all claims as agreed between the parties, and it is expressly understood and agreed, as a condition of this voluntary resolution, that this resolution is not a concession or admission of wrongdoing or liability by any person or entity and shall not be used or construed as an admission of fault, omission, liability or wrongdoing on the party of any party, and it is further expressly understood and agreed, as a condition of this voluntary resolution, that there is no prevailing party in any aspect of this action; and

NOW, THEREFORE, by and with the consent of the Plaintiff, the Estate of Blanche W. Bell, Albert Harvey Bell, IV, and Clark Donald Bell, as the Personal Representatives, and by and

with the consent of the Defendant, The Episcopal Church Home, d/b/a Bishop Gadsden Retirement Community, this action, including all claims and counterclaims herein asserted by and/or between these parties, is hereby dismissed and ended with prejudice pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, and the parties have entered into the attached Mutual Settlement Agreement and Release (copy attached as Exhibit "A");

The parties also stipulate and agree that this Court retains jurisdiction over the Mutual Settlement Agreement and Release, including the Attorneys' Certifications and Agreements, herein for purposes of enforcement of those agreements.

AND IT IS SO AGREED AND CONSENTED TO.



The Honorable David C. Norton
United States District Judge

January 3, 2006

Charleston, South Carolina

WE SO CONSENT:

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Trudy H. Robertson

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WE SO CONSENT:

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