UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

NORTH POINTE CHURCH

V

ROBERT J. MOPPERT, ET AL

STIPULATION OF DISCONTINUANCE Civil Action No. 3:09-CV-219

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, that the above action be, and the same hereby is discontinued on the merits. Costs are provided for in a separate agreement between the parties. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: August 18, 2009

/s/ Raymond J. Dague Raymond J. Dague (505622) Attorney at Law RAYMOND J. DAGUE, PLLC 620 Empire Building 472 South Salina Street Syracuse, NY 13202 Telephone: (315) 422-2052 Facsimile: (315) 474-4334 Email: Raymond@DagueLaw.com

Timothy D. Chandler ALLIANCE DEFENSE FUND 101 Parkshore Drive, Suite 100 Folsom, CA 95630 Telephone: (916) 932-2850 Facsimile: (916) 932-2851 Email: tchandler@telladf.org /s/Robert G. Behnke Robert G. Behnke (101121) Chief Assistant County Attorney Broome County Attorney's Office P.O. Box 1766 Binghamton, NY 13902-1766 Telephone: (607) 778-2117 Facsimile: (607) 778-6122 E-mail: rbehnke@co.broome.ny.us

Counsel for Defendants

Daniel H. Blomberg ALLIANCE DEFENSE FUND 15192 Rosewood Leawood, KS 66226 Telephone: (913) 685-8000 Facsimile: (913) 685-8001 Email: <u>dblomberg@telladf.org</u>

Counsel for Plaintiffs