

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

CHERYL WELLS,

Plaintiff,

v.

CONOCOPHILLIPS COMPANY,

Defendant.

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CIVIL ACTION NO. 4:06-CV-03969

**STIPULATION OF DISMISSAL WITH PREJUDICE
ON ACCOUNT OF SETTLEMENT**

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff CHERYL WELLS (“**Plaintiff**”) and Defendant CONOCOPHILLIPS COMPANY (“**Defendant**”) file this Stipulation of Dismissal with Prejudice on Account of Settlement (the “**Stipulation**”) and would respectfully show the Court as follows:

1. Because of disputes over liability and damages and because of the uncertainties of litigation, Plaintiff and Defendant have compromised and settled all claims and causes of action that were or could have been asserted by Plaintiff against Defendant arising out of or in any way related to the matters raised in the action styled, *Cheryl Wells v. ConocoPhillips Company*, C.A. No. 4:06-cv-03969 (the “**Suit**”), and Plaintiff no longer wishes to pursue this action.

2. The Full and Final Release, Settlement, Confidentiality, and Indemnity Agreement (the “**Settlement Agreement**”) between the parties has been filed under seal contemporaneously with this Stipulation to preserve the agreed confidentiality of the parties’ settlement.

3. Plaintiff entered into the Settlement Agreement voluntarily and knowingly, and understands fully the meaning and effect of her actions in executing the Settlement Agreement. The parties agree that the terms of the Settlement Agreement are just and fair.

5. Defendant has asserted no counterclaims against Plaintiff.

6. Each party has agreed to pay her or its own respective court costs and expenses except as set forth in the Settlement Agreement.

7. The parties agree that this Court shall retain jurisdiction over this action for purposes of enforcing the Settlement Agreement.

8. The parties agree that this action should be dismissed with prejudice and respectfully request the Court to enter an Agreed Order of Dismissal with Prejudice, attached as Exhibit 1 to this Stipulation.

Respectfully submitted,

DEATS, DURST, OWEN, & LEVY P.L.L.C.

By:  _____

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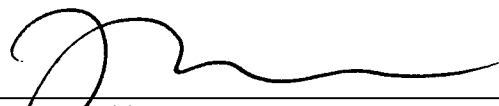
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ATTORNEY FOR DEFENDANT CONOCOPHILLIPS
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CERTIFICATE OF SERVICE PURSUANT TO ELECTRONIC FILING PROTOCOLS

I hereby certify that the foregoing has been filed pursuant to the electronic filing requirements of the United States District Court for the Southern District of Texas on this the 25th day of June 2007, which provides for service on counsel of record in accordance with the electronic filing protocols in place.



Teresa Valderrama