UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

BENEFUEL, INC. **PLAINTIFF**

v. **CASE NO. 5:09cv00276 BSM**

CHARLES F. SMITH;
WHITE RIVER FARM, INC.; and
DIAMOND VALLEY VENTURES, LLC **DEFENDANTS**

WHITE RIVER FARM, INC. **COUNTER CLAIMANT**

v.

BENEFUEL, INC. **COUNTER DEFENDANT**

BENEFUEL, INC. **THIRD PARTY PLAINTIFF**

v.

JAMES C. GRAHAM **THIRD PARTY DEFENDANT**

ORDER OF DISMISSAL

The parties to this order, Benefuel, Inc., Charles F. Smith, White River Farm, Inc., and Diamond Valley Ventures, LLC, have settled all claims, and therefore request the dismissal with prejudice of all claims between them. This order does not affect any claims other than those between the parties to this order.

Therefore, all claims between Benefuel, Inc., Charles F. Smith, White River Farm, Inc., and Diamond Valley Ventures, LLC are dismissed with prejudice.

IT IS SO ORDERED this 10th day of February, 2010.

UNITED STATES DISTRICT JUDGE