

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

KENNETH BUCKLEY, on behalf of )  
D.D.B., a minor child, PHILLIP and )  
ANDREA CONNELLY, on behalf of )  
E.J.D.C., a minor child, CLINT and )  
CATHY STAPLETON, on behalf of )  
K.N.S., a minor child, BOBBY and )  
RUTH SWEET, on behalf of M.N.S., a )  
minor child, MICHELLE SUMTER, )  
on behalf of M.N.S., a minor child, )  
FRANCIS SHOEMAKER, on behalf of )  
D.W.S, )

Plaintiffs, )

vs. )

INDEPENDENT SCHOOL DISTRICT )  
NO. 4 of ROGERS COUNTY, )  
OKLAHOMA, a/k/a OOLOGAH )  
TALALA PUBLIC SCHOOLS, CARA )  
JONES, individually, MELISSA )  
GIBSON, individually, KENNETH )  
KINZER, individually, RICK )  
THOMAS, individually, BOBBY )  
SORDO, individually, CITY OF )  
OWASSO, a political subdivision, )  
jointly and severally, )

Defendants. )

Case No. 10-CV-240-GKF-PJC

STIPULATION OF DISMISSAL WITH PREJUDICE

Plaintiffs Kenneth Buckley, on behalf of D.D.B., a minor child, Phillip and Andrea Connelly, on behalf of E.J.D.C., a minor child, Bobby Sweet and Ruth Sweet, on behalf of M.N.S., a minor child, and Michele Sumter, on behalf of M.N.S., a minor child (collectively "Plaintiffs"), hereby dismiss with prejudice all of their claims arising out of the above-captioned matter against Defendant

City of Owasso (“Owasso) and Defendant Bobby Sordo (“Officer Sordo”), and further provide as follows:

1. This Stipulation of Dismissal With Prejudice does not arise out of any settlement agreement between Plaintiffs and Owasso or Officer Sordo, but is filed out of the best interests of Plaintiffs.

2. Owasso and Officer Sordo agree not to pursue the recovery of costs incurred in depositions taken in this matter against Plaintiffs, and will not seek the recovery of attorney fees against Plaintiffs through the filing of any pleading seeking attorney fees as a sanction against Plaintiffs or their counsel.

3. On June 9, 2010, the Court dismissed the claims of Plaintiffs against Officer Sordo. By filing this Dismissal With Prejudice, the Plaintiffs forgo any right to appeal the Court’s ruling of June 9, 2010, and forever discharge their claims as to Officer Sordo from the above-captioned cause.

4. On June 29, 2010, Plaintiffs Clint Stapleton and Cathy Stapleton, on behalf of K.N.S., a minor child, and Frances Shoemaker, on behalf of D.W.S., dismissed all of their claims against Owasso and Defendant Bobby Sordo with prejudice to refiling. *See* Stipulation of Dismissal With Prejudice [Dkt. No. 86].

5. This Stipulated Dismissal With Prejudice discharges any and all claims by any and all remaining Plaintiffs against Owasso and Officer Sordo.

6. I have the permission of counsel for Officer Sordo and Owasso to electronically file this Stipulation of Dismissal with Prejudice.

Respectfully submitted,

By: /s/ Brendan McHugh

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**ATTORNEY FOR PLAINTIFFS**

-And-

**NEWTON, O'CONNOR, TURNER & KETCHUM,  
A PROFESSIONAL CORPORATION**

By: /s/ Keith A. Wilkes

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**ATTORNEYS FOR DEFENDANTS CITY OF  
OWASSO AND BOBBY SORDO**

### CERTIFICATE OF SERVICE

- I hereby certify that on July 1, 2010, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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- I hereby certify that on July 1, 2010, I served the foregoing document by mail on the following, who are not registered participants of the ECF System:

None

/s/ Brendan M. McHugh  
Brendan M. McHugh