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CAUSE NO. 97-00933-I

TRACY NEFF

IN THE DISTRICT COURT

v.

LANDMARK EDUCATION CORPORATION AND DAVID GRILL, AN INDIVIDUAL

DALLAS COUNTY, TEXAS

E 88

162ND JUDICIAL DISTRICT

AGREED FINAL JUDGMENT AND ORDER OF DISMISSAL WITH PREJUDICE

On the 16th day of DECEMBER, 1998 came on to be heard the above-entitled and numbered cause, and Plaintiff, Tracy Neff, and Defendants, Landmark Education Corporation and David Grill, by and through their counsel, appeared and announced that all matters of controversy between the Plaintiff herein and Defendants have been settled.

The Court finds that bona fide disputes and controversies exist between the parties as to liability and damages, if any, in this Cause. As a result of these disputes and controversies, the Court finds that the parties have agreed to enter into a settlement to avoid any further costs of litigation.

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IT IS ORDERED, ADJUDGED AND DECREED by the Court that the amounts payable pursuant to this Order shall constitute damages received on account of personal physical injuries or physical or mental sickness within the meaning of Section 104(a)2 of the Internal Revenue Code of 1986, as amended, and that no portion of the settlement proceeds shall represent exemplary or punitive damages or damages other than actual damages on account of personal physical injuries or physical or mental sickness; and that upon payment of this amount to Plaintiff, David Grill and Landmark Education Corporation, its predecessors, parents, affiliates, subsidiaries, agents, officers, directors, shareholders, successors, assigns, employers, employees, licensees, licensors shall stand duly released and forever discharged of and from all liability whatsoever to Tracy Neff, and that this cause is hereby DISMISSED WITH PREJUDICE to refile of same; and

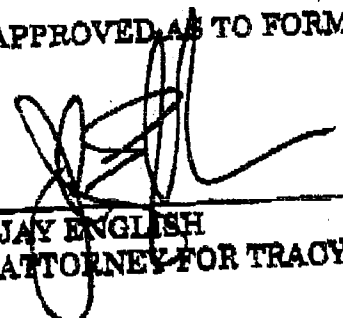
IT IS ORDERED, ADJUDGED AND DECREED in accordance with the agreement of the parties that the making of this settlement for the purpose of avoiding the time, travel and expense of continued investigation and litigation does not constitute and admission of liability on the part of the Defendants as to any cause of action asserted in this litigation.

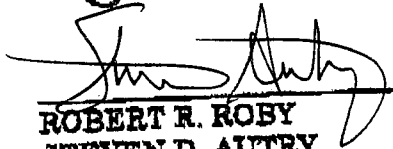
IT IS ORDERED, ADJUDGED AND DECREED that any relief sought herein not expressly granted is hereby DENIED.

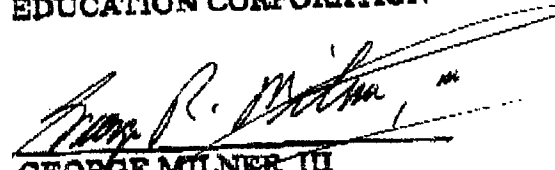
SIGNED on the 16th day of DECEMBER, 1988.


JUDGE PRESIDING

APPROVED AS TO FORM: *ds* JUDGE 35th JUDICIAL DISTRICT COURT SITTING FOR JUDGE
103rd JUDICIAL DISTRICT COURT OF DALLAS COUNTY, TEXAS


JAY ENGLISH
ATTORNEY FOR TRACY NEFF


ROBERT R. ROBY
STEVEN D. AUTRY
ATTORNEYS FOR LANDMARK
EDUCATION CORPORATION


GEORGE MILNER, III
ATTORNEY FOR DAVID GRILL

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