

**Exhibit E**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**COUNTY OF ONEIDA, NEW YORK, et al.,**

**6:08-cv-644 (LEK/GJD)**

**Plaintiffs,**

**v.**

**KENNETH L. SALAZAR, et al.,**

**Defendants.**

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**STIPULATION AND ORDER OF DISMISSAL**

Pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiffs County of Oneida and the State of New York, the federal defendants and defendant-intervenor Oneida Nation of New York, stipulate to the dismissal with prejudice of all claims of Plaintiffs County of Oneida, the State of New York, and Andrew Cuomo and to the dismissal of the County of Oneida, the State of New York, and Andrew Cuomo as parties plaintiff, upon an order of the Court on the terms contained in the form of order set forth below.

Respectfully Submitted,

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So Ordered:

Upon consideration of the foregoing stipulation, and finding that there is good cause to grant the stipulated dismissal of plaintiffs County of Oneida and State of New York from this action and of all of their claims in this action, and that it is proper to include certain terms in an order of dismissal, it is, accordingly, ORDERED that:

- (1) the Settlement Agreement attached hereto as Exhibit 1 is APPROVED;
- (2) the terms of the attached Settlement Agreement are incorporated into this Order;

(3) this Court RETAINS JURISDICTION to enforce the Settlement Agreement; and

(4) In the event that any of the conditions precedent contained in the Settlement Agreement are not met or complied with, any party to this Stipulation may make application to this Court to reinstate the action herein.

(5) Plaintiffs County of Oneida and State of New York are DISMISSED AS PARTIES, and their claims are DISMISSED WITH PREJUDICE subject to the terms of paragraph 4 of this Order, and each party to bear its own costs.

SIGNED and ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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Lawrence E. Kahn  
United States District Judge