

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re TERRORIST ATTACKS on
SEPTEMBER 11, 2001

) 03 MDL 1570 (GBD) (FJM)
) ECF Case
)
)

This document relates to:
O'Neill v. Al Baraka Inv. & Dev. Corp., 04-CV-1923 (GBD) (FJM)

**STIPULATION AND ORDER OF DISMISSAL
AS TO DEFENDANT SAUDI AMERICAN BANK**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the *O'Neill* Plaintiffs and Defendant Saudi American Bank, subject to the approval of the Court, as follows:

1. On January 18, 2005, this Court granted defendant Saudi American Bank's motions to dismiss in *Burnett v. Al Baraka Investment and Development Corp.*, 03 CV 9849 and *Ashton v. Al Qaeda Islamic Army*, 02 CV 6977. *In re Terrorist Attacks on September 11, 2001*, 349 F. Supp. 2d 785 (S.D.N.Y. 2005).
2. On November 20, 2006, this Court granted defendant Saudi American Bank's motion to dismiss in *Federal Insurance Co. v. Al Qaida*, 03 CV 6978. *In re Terrorist Attacks on September 11, 2001*, 462 F. Supp. 2d 561 (S.D.N.Y. 2006), *recons. denied*, 471 F. Supp. 2d 444 (S.D.N.Y. 2007).
3. On November 30, 2006, undersigned counsel agreed orally that the claims against Saudi American Bank in *O'Neill* would be dismissed with prejudice in light of the Court's prior opinions and orders with respect to Saudi American Bank (and that the *O'Neill* plaintiffs would have the opportunity to appeal the dismissal on the same timetable as the *Ashton*, *Burnett*, and *Federal Insurance* plaintiffs).

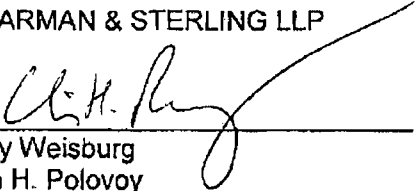
4. Accordingly, this written stipulation and order memorializes that all claims against Defendant Saudi American Bank in the above-referenced action are dismissed with prejudice in light of the Court's prior opinions and orders, preserving, however, any right of appeal.

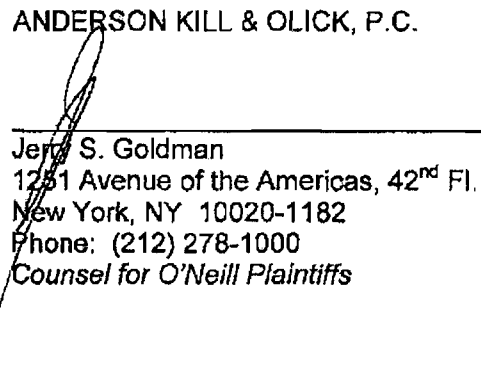
Dated: October 7, 2010

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SHEARMAN & STERLING LLP

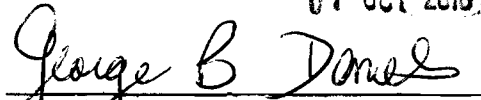
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SO ORDERED this ___ day of October,
2010:

07 OCT 2010


Hon. George B. Daniels, U.S.D.J.
HON. GEORGE B. DANIELS