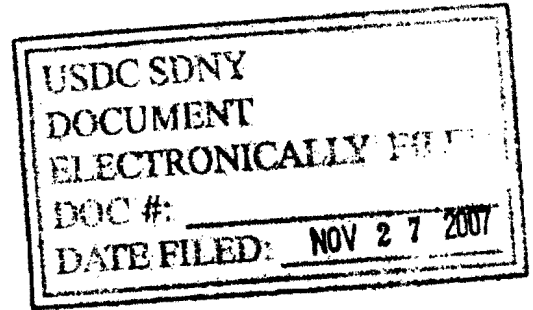


*Swain*



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MOSHE MILSTEIN and  
JOHN J. OKON,

Plaintiffs,

v.

FEDERAL BUREAU OF PRISONS,  
HARLEY LAPPIN, as Director of the  
Federal Bureau of Prisons, J.M. KILLIAN,  
as Warden, Federal Prison Camp at  
Otisville, New York, and GLENN A.  
FINE, as Inspector General for the  
Department of Justice,

Defendants.

Case No. 07-Civ-7434 (LTS) (FM)

**STIPULATION AND ~~PROPOSED~~ ORDER  
OF DISMISSAL WITHOUT PREJUDICE**

*jr*

WHEREAS, Plaintiffs filed a complaint in the above-captioned matter, styled as a class action, in response to the removal of certain religious materials from chapel libraries at federal prisons governed by Defendant Federal Bureau of Prisons (the "BOP");

WHEREAS, the removal of these religious materials was pursuant to a policy known as the Standardized Chapel Library Project ("SCLP");

WHEREAS, the SCLP is no longer in effect at BOP institutions;

WHEREAS, the BOP has directed its institutions to return the removed religious materials, and the institutions having confirmed compliance thereto;

WHEREAS, the parties dispute the propriety of class certification in this matter, and no class has been certified pursuant to Rule 23 of the Federal Rules of Civil Procedure; and

WHEREAS, this Stipulation contains the entire agreement between the parties and that there are no other formal or informal agreements between the parties,

IT IS HEREBY STIPULATED AND AGREED by and between the parties through their undersigned counsel, that, pursuant to Rules 23(e)(2) and 41(a)(2) of the Federal Rules of Civil Procedure, this action shall be and hereby is dismissed without prejudice, all parties to bear their own costs.

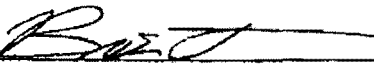
Dated: New York, New York  
November 21, 2007

PAUL, WEISS, RIFKIND, WHARTON &  
GARRISON LLP

By: 

Moses Silverman  
Solomon N. Klein  
1285 Avenue of the Americas  
New York, New York 10019-6064  
(212) 373-3000  
*Attorneys for Plaintiffs*

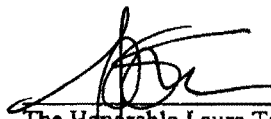
MICHAEL GARCIA  
UNITED STATES ATTORNEY FOR THE  
SOUTHERN DISTRICT OF NEW YORK

By: 

Brian M. Feldman  
86 Chambers Street, Third Floor  
New York, New York 10007  
(212) 637-2777  
*Attorneys for Defendants*

SO ORDERED:

Dated: New York, New York  
November 26, 2007

  
The Honorable Laura Taylor Swain  
United States District Judge