

THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION

IN RE:
SKECHERS TONING SHOE
PRODUCT LIABILITY LITIGATION

MICHAEL WAYNE KELLEY

Plaintiff,

v.

SKECHERS USA, INC.
and ACADEMY, LTD.

Defendants.

CASE: 3:11-MD-02308-TBR

MDL NO. 2308

HON. THOMAS B. RUSSELL

CASE NO. 3:14-CV-285-TBR

AGREED ORDER OF DISMISSAL

By agreement of the Plaintiff, Michael Wayne Kelley, by counsel, and the Defendant, Skechers U.S.A., Inc., by counsel, all claims asserted by and between the parties, or which could have been asserted in this case by and between the parties, should be dismissed based on the parties' settlement of this matter, and the Court being otherwise sufficiently advised;

IT IS ORDERED AND ADJUDGED that Plaintiff's Complaint is hereby **DISMISSED WITH PREJUDICE** as to all claims that were asserted or could have been asserted herein as between the parties.

Each party shall bear his or their own costs and attorney's fees

Tendered by:

/s/ Michael W. Kelley, II (with permission)

Michael W. Kelley, II
Michael W. Kelley, II, Attorney at Law, LLC
3198 Parliament Circle, Suite 301
Montgomery, AL 36116
Phone: 334-201-8225
E-mail: mike@mwklegal.com
Counsel for Plaintiff, Michael Wayne Kelley

/s/ Jill F. Endicott

Jill F. Endicott
DINSMORE & SHOHL LLP
101 South Fifth Street, Suite 2500
Louisville, KY 40202
Phone: (502) 581-8000
Fax: (502) 581-8111
E-mail: jill.endicott@dinsmore.com

Michael D. Eagen
Katrina R. Atkins
DINSMORE & SHOHL LLP
255 E. 5th St., Suite 1900
Cincinnati, OH 45202
Phone: (513) 977-8578
E-mail: michael.eagen@dinsmore.com
katrina.atkins@dinsmore.com

Of Counsel:

Daniel M. Petrocelli
Jeffrey A. Barker
Justine M. Daniels
O'MELVENY & MYERS LLP
1999 Avenue of the Stars, 7th Floor
Los Angeles, California 90067
Telephone: (310) 553-6700
Facsimile: (310) 246-6779
E-mail: dpetrocelli@omm.com
jbarker@omm.com
jdaniels@omm.com

Counsel for Defendant, Skechers U.S.A., Inc.