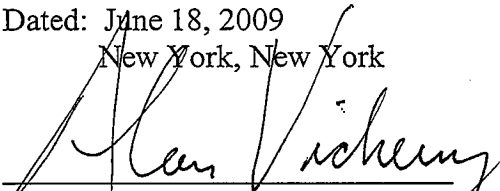


3. Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, all claims against the Yankees in this matter are dismissed with prejudice.

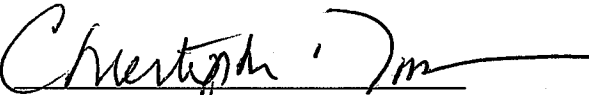
4. Should the Yankees, after the execution of this Stipulation and Order, institute a policy that imposes any restrictions on fans wishing to move about the Stadium during the playing of "God Bless America" that do not also apply during the rest of the game, nothing in this Stipulation and Order shall bar the plaintiff from seeking relief against that policy.

5. Nothing in this Stipulation and Order shall be interpreted to impose any restriction or limitation on the Yankees' right to continue, modify, and/or adopt any policy or practice related to safety, crowd control, stadium security or any other aspect of its operation of the Stadium or the presentation of Yankees' baseball games.

Dated: June 18, 2009
New York, New York


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SO ORDERED