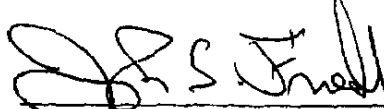




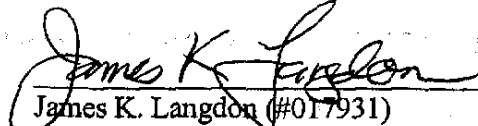
with prejudice all claims in the Notice of Contest relating to the 933 Ballots, and Contestee consents to the dismissal. Costs, if any, shall be determined later. To further Minnesota's policy of ballot secrecy, the Minnesota Secretary of State shall take all necessary steps to remove and/or redact permanently the numbers affixed to the ballot envelopes and ballots on January 3, 2009. The totals from the opening, sorting and counting of these ballots shall be included in the results of the 2008 United States Senate election.

Dated: February 3, 2009

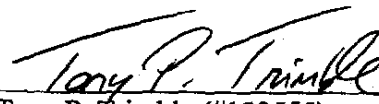
ON BEHALF OF CONTESTANTS:



Joseph S. Friedberg (#32086)  
Joseph S. Friedberg Chartered  
Suite 320, 150 South Fifth Street  
Minneapolis, MN 55402  
612-339-8626



James K. Langdon (#017931)  
Dorsey & Whitney LLP  
Suite 1500, 50 South Sixth Street  
Minneapolis, MN 55402  
612-340-2600




Tony P. Trimble (#122555)  
Trimble & Associates, Ltd.  
Suite 130, 10201 Wayzata Boulevard  
Minnetonka, MN 55305  
952-797-7477

ON BEHALF OF CONTESTEE:

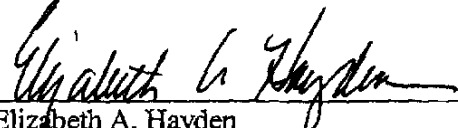


David L. Lillehaug (#63816)  
Fredrikson & Byron, P.A.  
Suite 4000, 200 South Sixth Street  
Minneapolis, MN 55402  
612-492-7000

  
\_\_\_\_\_  
Marc E. Elias (DC Bar #442007)  
Kevin J. Hamilton (Wash. Bar #15648)  
Suite 800, 607 Fourteenth St., N.W.  
Washington, DC 20005  
202-628-6600  
Admitted Pro Hac Vice

APPROVED AND SO ORDERED on this 3<sup>rd</sup> day of February, 2009.

BY THE COURT:

  
\_\_\_\_\_  
Elizabeth A. Hayden  
Judge of District Court

  
\_\_\_\_\_  
Kurt J. Marben  
Judge of District Court

  
\_\_\_\_\_  
Denise D. Reilly  
Judge of District Court