IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI SOUTHERN DIVISION

THOMAS C. and PAMELA MCINTOSH

PLAINTIFFS

versus Civil Action No. 1:06cv1080-LTS-RHW

STATE FARM FIRE & CASUALTY COMPANY AND FORENSIC ANALYSIS & ENGINEERING CORPORATION

DEFENDANTS

NOTICE OF SETTLEMENT

COME NOW the Plaintiffs, Thomas C. and Pamela McIntosh, and Defendant, Forensic Analysis & Engineering Corp. ("FAEC"), by and through their counsel of record, and file this, their Notice of Settlement and would show unto this Court as follows:

1) Plaintiffs have negotiated a settlement with FAEC in this instant litigation.

2) The settlement includes a full and complete dismissal of FAEC from this instant

litigation with prejudice; a dismissal will be filed after the settlement is finalized.

3) In furtherance of this settlement, Plaintiffs, FAEC and non-party movant, Nellie

Williams, have withdrawn all pending motions between them [795] and have asked this Court to

abate is Order relative to Ms. Williams [796].

WHEREFORE, PREMISES CONSIDERED, Plaintiffs and Defendant, Forensic Analysis & Engineering Corp., respectfully move this Court to abate all proceedings between them

Respectfully submitted, this 9th day of November, 2007.

pending finalization of the settlement and filing of a motion to dismiss with prejudice.

FORENSIC ANALYSIS &

ENGINEERING CORP.

By: <u>/s/ Kathryn Platt</u>

KATHRYN BREARD PLATT (MSB#102141)

LARRY G. CANADA (MSB#10480) KATHRYN BREARD PLATT (MSB#102141) GALLOWAY, JOHNSON, TOMPKINS, BURR & SMITH

One Shell Square 701 Poydras Street, Suite 4040 New Orleans, Louisiana 70139 Telephone: (504) 525-6802

Facsimile: (504) 525-2456

THOMAS C. and PAMELA MCINTOSH

By: /s/ Sid Backstrom

SIDNEY A. BACKSTROM (MSB#99890) SCRUGGS LAW FIRM, P.A. P.O. Box 1136

Oxford, MS 38655 Phone: (662) 281-1212

OF COUNSEL:

Richard F. Scruggs Sidney A. Backstrom David Zachary Scruggs Christopher T. Robertson SCRUGGS LAW FIRM, P.A. P.O. Box 1136 Oxford, MS 38655

Phone: (662) 281-1212

Don Barrett Marshall H. Smith, Jr. BARRETT LAW OFFICE P.O. Box 987 Lexington, MS 39095 Phone: (662) 834-2376

Mary E. McAlister Derek Wyatt David McCarty NUTT & McALISTER 605 Crescent Blvd., Suite 200 Ridgeland, MS 39157 Phone: (662) 898-7302 Dewitt M. Lovelace LOVELACE LAW FIRM, P.A. 36474 Emerald Coast Pkwy., Suite 4202 Destin, FL 32541

Phone: (850) 837-6020

Mike Moore MOORE LAW FIRM, LLC P.O. Box 321048 Flowood, MS 39232 Phone: (601) 933-0070

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This is to certify that the undersigned attorney for Galloway, Johnson, Tompkins, Burr & Smith, has this day served a copy of the above and foregoing upon counsel of record and other interested persons via the Court's electronic notification system.

So certified, this 9th day of September, 2007.

/s/ Kathryn Platt

KATHRYN BREARD PLATT (MSB#102141)