

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Civil Action: 12-6744

CONESTOGA WOOD SPECIALITIES CORPORATION, a PA Corporation;
NORMAN HAHN;
ELIZABETH HAHN;
NORMAN LEMAR HAHN;
ANTHONY H. HAHN; and
KEVIN HAHN

Plaintiffs,

v.

SYLVIA M. BURWELL, in her official capacity as
Secretary of the United States Department of Health and Human Services;
THOAS E. PEREZ, in his official capacity as
Secretary of the United States Department of Labor;
JACOB J. LEW, in his official capacity as
Secretary of the United States Department of the Treasury;
UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES;
UNITED STATES DEPARTMENT OF LABOR; and
UNITED STATES DEPARTMENT OF THE TREASURY;

Defendants.

NOTICE OF SETTLEMENT OF PLAINTIFFS' FEES PETITION

The Court set January 23, 2015, as the deadline for any petition for fees and costs to be filed by Plaintiffs. The Plaintiffs hereby file this notice indicating that the matter of their fees and costs has been resolved by settlement agreement, so no petition from them will be forthcoming.

Respectfully submitted this 23rd day of January, 2015.

Attorneys for Plaintiffs:

/s/ Randall L. Wenger
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ALLIANCE DEFENDING FREEDOM
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mbowman@alliancedefendingfreedom.org

CERTIFICATE OF SERVICE

I hereby certify that on January 23, 2015, a copy of the foregoing was filed electronically with the Clerk of the Court and thereby served on counsel for Defendants and all parties that have made an appearance.

/s/ Randall L. Wenger

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UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES;
UNITED STATES DEPARTMENT OF LABOR; and
UNITED STATES DEPARTMENT OF THE TREASURY;

Defendants.

SETTLEMENT AGREEMENT AND RELEASE

Plaintiffs (Conestoga Wood Specialties Corporation, Norman Hahn, Elizabeth Hahn, Norman Lemar Hahn, Anthony H. Hahn, and Kevin Hahn) and Defendants (Sylvia M. Burwell, in her official capacity as Secretary of Health and Human Services; the U.S. Department of Health and Human Services; Thomas E. Perez, in his official capacity as Secretary of Labor; the U.S. Department of Labor; Jacob Lew, in his official capacity as Secretary of the Treasury; and

the U.S. Department of the Treasury), by and through their undersigned counsel, hereby enter into this Settlement Agreement as follows:

1. Defendants shall pay Plaintiffs the amount of five-hundred and seventy thousand U.S. dollars (\$570,000) in full and complete satisfaction of Plaintiffs' claims for fees, costs, and litigation expenses in the above-captioned matter. This payment shall constitute full and final satisfaction of any and all of Plaintiffs' claims for fees, costs, and litigation expenses in the above-captioned matter, and is inclusive of any interest:

a. Plaintiffs direct that the payment of \$570,000 be made directly to Plaintiffs' counsel as follows:

- i. \$132,529 to Independence Law Center, 23 North Front Street, Harrisburg, PA, 17101;
- ii. \$226,558 to Law Offices of Proctor Lindsay & Dixon, 1204 Baltimore Pike, Suite 200, Chadds Ford, PA, 19317;
- iii. \$210,913 to Alliance Defending Freedom, 15100 N. 90th Street, Scottsdale, AZ, 85260-2901.

b. The payment will be made by checks consistent with the normal processing procedures and regulations of the U.S. Department of the Treasury, including offset.

2. Upon execution of this Settlement Agreement, Plaintiffs hereby release and forever discharge Defendants and their successors, the United States of America, and any department, agency, or establishment of the United States, and any officers, employees, agents, successors, or assigns of such department, agency, or establishment, from any and all claims for fees, costs, or litigation expenses in connection with the above-captioned litigation.

3. Plaintiffs and Defendants acknowledge that this Settlement Agreement is entered solely for the purpose of settling and compromising fees, costs, and litigation expenses in this action without further litigation, and it shall not be construed as evidence or as an admission regarding any issue of law or fact, or as evidence or as an admission by Defendants regarding Plaintiffs' entitlement to attorneys' fees and other litigation costs. This Settlement Agreement shall not be used in any manner to establish liability for fees, amounts, or hourly rates in any other case or proceeding.

4. This Settlement Agreement, which may be executed in counterparts, shall be effective once it has been signed by all of the signatories identified below.

SO STIPULATED AND AGREED.

Norman Hahn
Plaintiff

Dated: Jan 21-2015

Elizabeth Hahn
Plaintiff

Dated: Jan 21, 2015

Norman Lemar Hahn
Plaintiff

Dated: 1-21-15

Anthony H. Hahn
Plaintiff

Dated: 1-21-15

Kevin Hahn
Plaintiff

Dated: 1/21/15

Conestoga Wood Specialties Corporation
Plaintiff

By: Anthony H. Hahn, President

Dated: 1-21-15

Charles W. Proctor, III, Esquire
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Counsel for the Plaintiffs

Dated: _____

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Counsel for the Plaintiffs

Dated: _____

Conestoga Wood Specialties Corporation
Plaintiff

By: Anthony H. Hahn, President
^

Dated: _____

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Dated: 01/21/15

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Dated: 1/21/15

Dated: 1-22-15

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