

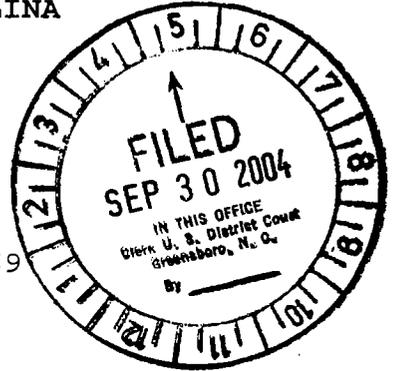
D/LS

482.

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CROWN CORK & SEAL COMPANY, INC.)
 and CLARK EQUIPMENT COMPANY,)
)
 Plaintiffs,)
)
 v.)
)
 CBS CORPORATION, et al.,)
)
 Defendants.)
 -----)
 CBS CORPORATION, et al.,)
)
 Third-Party Plaintiffs,)
)
 v.)
)
 INGERSOLL-RAND COMPANY, et al.,)
)
 Third-Party Defendants.)

1:99CV00869



O R D E R

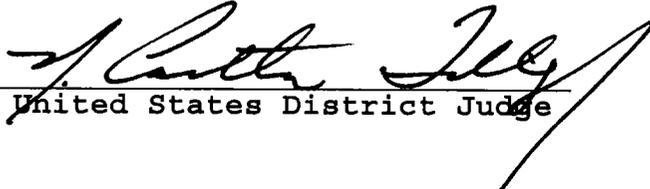
On January 9, 2004, Recommendation No. 21 of the United States Magistrate Judge was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. No objections were filed within the time limits prescribed by Section 636.

Therefore, the Court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

IT IS THEREFORE ORDERED that plaintiffs' motion to dismiss defendant General Motors Corporation as a defendant from this lawsuit with prejudice, and further, that all cross-claims or third-party claims arising out of plaintiffs' claims for recovery of their RI/FS costs, RD/RA costs, or any other response costs against General Motors Corporation be barred (docket no. 398) is granted, and that the Court, in fact, dismisses any cross-claim or

third-party claim by any party against defendant General Motors Corporation with prejudice as a result of its settlement of plaintiffs' claims, and further, that the Court accepts the Uniform Comparative Fault Act proportionate share rule for this case so that plaintiffs' contribution claims against the non-settling defendants will be reduced by the fair share of General Motors Corporation.

IT IS FURTHER ORDERED that pursuant to Fed. R. Civ. P. 54(b) the Court determines that there is no just cause for delaying the entry of a final appealable judgment and, therefore, directs the entry of said judgment as to this Order.


United States District Judge

September 30
~~February~~, 2004