



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re REFCO CAPITAL MARKETS, LTD.  
BROKERAGE CUSTOMER SECURITIES  
LITIGATION

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This Document Relates to: THE CLASS ACTION

MASTER DOCKET NO.  
06 Civ. 643 (GEL)

STIPULATION AND ORDER  
OF VOLUNTARY  
DISMISSAL WITHOUT  
PREJUDICE OF  
DEFENDANT REFCO  
SECURITIES LLC

IT IS HEREBY STIPULATED AND AGREED, by and between Lead Plaintiffs and defendant Refco Securities LLC ("RSL"), through their respective undersigned counsel of record, that:

WHEREAS, Lead Plaintiffs and defendant RSL agree that at all times each party and each attorney has complied with the requirements of Fed. R. Civ. P. 11 as to all pleadings filed in this case; and

WHEREAS, no motion for class certification has been made; and

WHEREAS, Lead Plaintiffs and defendant RSL, through their respective counsel, have conducted sufficient investigation to enable each party to determine that it is in their respective best interests to enter into this Stipulation;

NOW, THEREFORE, Lead Plaintiffs and defendant RSL agree as follows:

1. The claims of Lead Plaintiffs and the putative class against RSL are dismissed without prejudice:

2. No notice to the members of the putative class of this dismissal is necessary under Fed. R. Civ. P. 23, and none shall be given.

3. Each side shall bear its own attorneys' fees and costs.

Dated: New York, New York  
December 7, 2007

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*Attorneys for Defendant Refco Securities, LLC*

IT IS SO ORDERED:

  
THE HONORABLE GERARD E. LYNCH  
UNITED STATES DISTRICT JUDGE

December 10, 2007