

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

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LG ELECTRONICS U.S.A., INC.  
1000 Sylvan Avenue, Englewood Cliffs,  
N.J. 07632

Plaintiff,

v.

U.S. DEPARTMENT OF ENERGY,  
1000 Independence Ave., S.W.,  
Washington, D.C. 20585

and

STEVEN CHU, PHD.,  
*in His Official Capacity as United States  
Secretary of Energy,*  
U.S. Department of Energy,  
1000 Independence Ave., S.W.,  
Washington, D.C. 20585,

Defendants.

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Civil Action No. 1:09-cv-02297 (JDB)

**STIPULATION OF VOLUNTARY DISMISSAL**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), it is hereby stipulated and agreed by all parties, by and through undersigned counsel, that Plaintiff LG Electronics U.S.A., Inc. ("LG") voluntarily dismisses all claims against Defendants U.S. Department of Energy ("DOE") and Steven Chu, PhD in His Official Capacity as United States Secretary of Energy in the above-captioned action with prejudice. In conjunction with this Notice, based on information available to the parties as of May 28, 2010, the parties stipulate as follows:

1. DOE believes that its interpretation of the November 14, 2008 Settlement Agreement is correct, but that LG came to its differing interpretation fairly and in good faith;

2. To DOE's knowledge, LG is currently satisfying the on-going obligations of the November 14, 2008 Settlement Agreement as well as DOE's November 10, 2009 Order, as amended;

3. DOE's December 18, 2009 Guidance represents DOE's first industry-wide clarification of how the fill tube and ice ejection heaters should be treated during energy consumption testing of refrigerator-freezers;

4. In light of these recitations, the parties see no further need to proceed with the instant action;

5. LG will withdraw its Freedom of Information Act request dated April 5, 2010; and


6. LG will file no other action against DOE in any forum related to the events and facts alleged in this action.

Respectfully submitted,

TONY WEST  
Assistant Attorney General

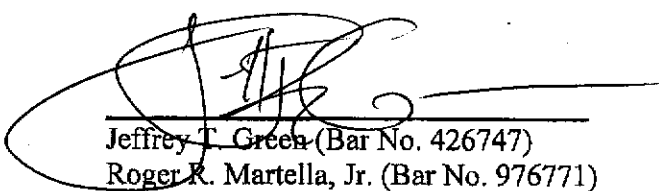
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May 28, 2010

  
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