

Exhibit 3

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JOHN R. LUCKER, ELIZABETH A. LUCKER,)
NANCY L. ROUSSEAU, Individually and On)
Behalf of All Others Similarly Situated,)
Plaintiffs,)
-against-)
BAYSIDE CEMETERY and)
CONGREGATION SHAARE ZEDEK,)
Defendants.)

No. 07 Civ. 3823 (RJD) (JMA)

**STIPULATED ORDER OF
ADMINISTRATIVELY CLOSING THE
ACTION AND TOLLING
AGREEMENT**

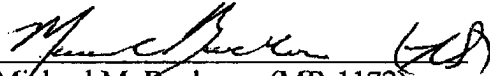
**COURTESY COPY – ORIGINAL FILED
BY ECF, DOCUMENT # 18**

IT IS HEREBY STIPULATED AND AGREED THAT:

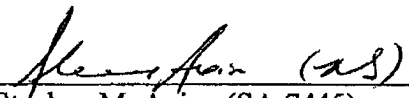
1. Plaintiffs do hereby administratively close the above-entitled action, with leave to re-open without prejudice. The Court shall retain jurisdiction for the purposes of enforcing the provisions of this order.
2. Plaintiffs shall not commence, until at least September 26, 2008 (the "Tolling Period"), any litigation or other proceeding against either Defendant, or any of their officers, directors, or employees, except as provided below in paragraph 4 or paragraph 5. The Tolling Period may be extended by written agreement of the parties.
3. After the expiration of the Tolling Period, Plaintiffs shall have the right to reinstate the above-entitled action to the Court's calendar by letter. If the action is reinstated pursuant to this provision, it shall be deemed to have been filed as of the date of the original Complaint in the above-entitled action, and the Tolling Period shall not be considered for the purposes of computing any time-related defense.
4. On or before August 15, 2008, Defendants shall provide Plaintiffs with a copy of all contracts with third parties relating to the proposed "one-time cleanup" of Bayside Cemetery, including a detailed description of the scope of the work to be performed and the estimated date of completion of such work. In addition, Defendants shall provide Plaintiffs at that time with detailed information concerning a long term plan to restore the cemetery, including the recognition and honoring of all perpetual/annual care contracts. If a contractor has not been engaged for the "one-time cleanup" by August 15, 2008, and/or a long term plan has not been established for the care and maintenance of perpetual/annual care plots at Bayside Cemetery, Plaintiffs shall have the right to immediately restore their action.

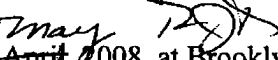
AGREED TO:

MICHAEL M. BUCHMAN, ESQ.

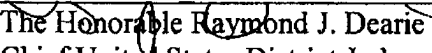
By: 
Michael M. Buchman (MB-1172)
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Counsel for Plaintiffs

AXINN, VELTROP & HARKRIDER LLP

By: 
Stephen M. Axinn (SA-7445)
114 West 47th Street
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(212) 728-2200
Counsel for Defendants

SO ORDERED 
this 5th day of ~~April~~ May, 2008, at Brooklyn, New York:

s/ Judge Raymond J. Dearie


The Honorable Raymond J. Dearie
Chief United States District Judge