### 900276015 12/31/2013

### TRADEMARK ASSIGNMENT

Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	RELEASE BY SECURED PARTY

### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Bank of America, N.A.		112/23/2013	National Banking Association: UNITED STATES

### **RECEIVING PARTY DATA**

Name:	D.W. Newcomer's Sons, Inc.	
Street Address:	1331 Brushcreek Blvd.	
City:	Kansas City	
State/Country:	MISSOURI	
Postal Code:	64110	
Entity Type:	CORPORATION: MISSOURI	

### PROPERTY NUMBERS Total: 2

Property Type	Number	Word Mark	
Registration Number:	1180586	NEWCOMER'S	
Registration Number:	1978513		

### **CORRESPONDENCE DATA**

**Fax Number**: 7132233717

Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent

via US Mail.

Phone: 713-226-1252

Email: ppaquet@lockelord.com

Correspondent Name: Locke Lord LLP by Patricia Paquet

Address Line 1: 600 Travis Street
Address Line 2: Suite 2800

Address Line 4: Houston, TEXAS 77002-3095

ATTORNEY DOCKET NUMBER:	0015773-00005
NAME OF SUBMITTER:	Patricia Paquet

TRADEMARK REEL: 005184 FRAME: 0332 **+ \$65,00 118058**(

900276015

Signature:	/patriciapaquet/
Date:	12/31/2013
Total Attachments: 3 source=Stewart 1180586#page1.tif source=Stewart 1180586#page2.tif source=Stewart 1180586#page3.tif	

# TERMINATION AND RELEASE OF SECURITY INTEREST IN UNITED STATES TRADEMARKS

U.S. Department of Commerce

U.S. Patent and Trademark Office

THIS TERMINATION AND RELEASE OF SECURITY INTEREST IN U.S. TRADEMARKS (the "Trademark Termination and Release") dated as of December 23, 2013, from BANK OF AMERICA, N.A., in its capacity as administrative agent (the "Collateral Agent") pursuant to an Intellectual Property Security Agreement (the "Security Agreement") dated as of June 29, 2001 among Stewart Enterprises, Inc., a Louisiana corporation ("SEI"), Subsidiaries of SEI party thereto (each a "Grantor") and collectively with SEI, the "Grantors"), and the Collateral Agent.

#### WITNESSETH:

WHEREAS, pursuant to the Security Agreement a security interest (the "Security Interest") was granted by the Grantors to the Collateral Agent in certain collateral, including the Specified Trademark Collateral (as hereinafter defined); and

WHEREAS, the Security Agreement was recorded in the Trademark Division of the United States Patent and Trademark Office on July 20, 2001 at Reel 002332, Frame 0668;

WHEREAS, the Collateral Agent now desires to terminate and release the entirety of its Security Interest in the Specified Trademark Collateral;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Collateral Agent hereby agrees as follows:

- 1. <u>Definitions</u>. The term "Specified Trademark Collateral", as used herein, shall mean all of the Grantors' right, title and interest of every kind and nature as of the date hereof in the trademarks set forth on Schedule I hereto.
- 2. Release of Security Interest. The Collateral Agent hereby terminates, releases and discharges its Security Interest in the Specified Trademark Collateral without representation, warranty or recourse of any kind or nature.

[Remainder of page intentionally left blank.]

52818069

IN WITNESS WHEREOF, the undersigned has executed this Termination and Release by its duly authorized officer as of the date first above written.

BANK OF AMERICA, N.A., as Collateral

Agent

By:

Name: Erik M. Truette

Title: Assistant Vice President

### STATE OF NORTH CAROLINA

### COUNTY OF MECKLENBURG

On this 18th day of December, 2013 before me personally appeared Erik M. Truette, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

My commission expires: Apeil 10, 1018

(SEAL)

**ANDRE ZAMBRANO** 

Notary Public Mecklenburg Co., North Carolina My Commission Expires April 10, 2018

52818069

## **SCHEDULE I**

## Federal Trademark Registrations and Applications

Trademark or Service Mark	Registration No.	Registration Date
NEWCOMER'S	1,180,586	12/01/18
(Design Only)	1,978,513	06/04/96

52818069

**RECORDED: 12/31/2013**