54-4 MARTIN L. FINEMAN (Bar No. 104413) DAVIS WRIGHT TREMAINE LLP 505 Montgomery St., Ste 800 San Francisco, CA 94111-6533 Telephone: (415) 276-6500 Facsimile: (415) 276-6599 E-Mail: martinfineman@dwt.com Attorneys for Plaintiff T-MOBILE WEST CORPORATION JENNIFER MCGRATH, City Attorney (Bar No. CA 179917) SCOTT F. FIELD, Asst. City Attorney (Bar No. CA 105709) Box 190, 2000 Main Street 10 Huntington Beach, California 92648 11 Telephone: (714) 536-5555 12 Facsimile: (714) 374-1590 E-Mail: sfield@surfcity-hb.org 13 14 Attorneys for Defendants City of Huntington Beach and 15 City Council of the City of Huntington Beach 16 UNITED STATES DISTRICT COURT 17 CENTRAL DISTRICT OF CALIFORNIA 18 19 T-MOBILE WEST CORPORATION, Case No. CV 10-1471-RGK 20 a Delaware corporation, PROPOŠEDI ORDER DISMISSING 21 Plaintiff, **ENTIRE ACTION** 22 VS. Honorable R. Gary Klausner 23 CITY OF HUNTINGTON BEACH, a 24 public entity organized and existing Complaint Filed September 29, 2010 under the laws of the State of 25 California; CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH, 26 27 Defendants. 28

T-MOBILE v. CITY OF HUNTINGTON BEACH, ETC. ET AL. NO. CV 10-1471-RGK [PROPOSED] ORDER DISMISSING ENTIRE ACTION DWT 18872270v1 0048172-000388

[PROPOSED] ORDER

Plaintiff T-Mobile West Corporation and Defendants City of Huntington Beach and City Council of the City of Huntington Beach, by and through their counsel of record, have stipulated, pursuant to Federal Rule of Civil Procedure 41(a)(1), that the entire action is dismissed without prejudice, each party to bear its own costs and expenses in connection with this action, and with the Court retaining jurisdiction to enter a protective order regarding documents and information produced during discovery in the action.

The parties having so stipulated, and good cause appearing, IT IS SO ORDERED.

Dated: January 25, 2012

The Honorable R. Gary Klausner United States District Judge