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8 Attorneys for Defendant MIKE NELSON COMPANY, INC.,
9 DICK CORPORATION/MATT CONSTRUCTION CORPORATION,
10 AMERICAN CASUALTY COMPANY OF REDDING PENNSYLVANIA and
11 HARTFORD FIRE INSURANCE COMPANY

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA-FRESNO

11 UNITED STATES for the use of
12 ALCAL/ARCADE CONTRACTING, INC.,
13 a Nevada Corporation, doing business as
14 ARCADE INSULATION

15 Plaintiff,

16 v.

17 MIKE NELSON COMPANY, INC., a
18 California corporation; DICK
19 CORPORATION/MATT
20 CONSTRUCTION CORPORATION, a
21 Joint Venture; AMERICAN CASUALTY
22 COMPANY OF REDDING
23 PENNSYLVANIA, a Pennsylvania
24 corporation; HARTFORD FIRE
25 INSURANCE COMPANY, a Connecticut
26 corporation; and Does 1 through 20,
27 inclusive

28 Defendants.

Case Number 1:06-cv-00354-OWW-SMS

**STIPULATION FOR DISMISSAL
PURSUANT TO FRCP 41(a)(1)**

It is hereby stipulated that the above-entitled action, including all counter-claims and cross-claims by and against all parties to the action, may and should be dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(1). Said stipulation confirms and expressly incorporates the terms of the Settlement Agreement and Release, entered into by the parties on March 12, 2010, a copy of which is attached hereto as Exhibit A.

1 It is further stipulated that, pursuant to the terms of the Settlement Agreement
2 and Release, the parties shall bear their own attorney's fees and costs.
3

4 Dated: March 12, 2010

FENNELL & OLSON

6 By: /S/_____

7 JEFFREY G. OLSON
8 Attorneys for Plaintiff

9 Dated: March 12, 2010

LAW OFFICE OF MYRON F. SMITH

11 By: /S/_____

12 MYRON F. SMITH
13 Attorneys for Defendants

14 **ORDER**

15 Based upon the stipulation of the parties, IT IS HEREBY ORDERED that this entire
16 action is dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(1).
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19 IT IS SO ORDERED.

20 Dated: April 7, 2010

21 /s/ Oliver W. Wanger
22 UNITED STATES DISTRICT JUDGE