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Attorneys for Plaintiffs ALICE HOLMES AND VERNON HOLMES

UNITED STATES DISTRICT COURT
IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA

ALICE HOLMES AND VERNON HOLMES,)
)
 Plaintiff,)
 vs.)
)
 HOME DEPOT USA, INC.; MTD)
 PRODUCTS, INC.; BRIGGS & STRATTON)
 CORPORATION; WALBRO)
 CORPORATION and DOES 1 through 50,)
 inclusive,)
)
 Defendants.)

Case No. 1:06-CV-01527-SMS

**STIPULATION AND ORDER OF
DISMISSAL**

IT IS HEREBY STIPULATED by and between the parties hereto, through their respective counsel,
that Plaintiffs ALICE HOLMES AND VERNON HOLMES shall dismiss, and hereby does dismiss, all
claims against Defendants DAPCO INDUSTRIES, MTD CONSUMER GROUP, INC., BRIGGS &
STRATTON CORPORATION, AND WALBRO CORPORATION and this entire action, **with prejudice**,
pursuant to Federal Rule of Civil Procedure 41(a) with each side to bear their own costs and attorney's
fees.

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2 Dated: 1/7/10.

BARADAT, EDWARDS & PABOOJIAN, LLP

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By /s/ Warren R. Paboojian
Warren R. Paboojian, Attorney for Plaintiffs
ALICE HOLMES AND VERNON HOLMES

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6 Dated: 1/11/10.

GURNEE & DANIELS

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By /s/ Steve Gurnee
Steve Gurnee, Attorney for Defendant DAPCO
INDUSTRIES.

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10 Dated: 1/8/10.

PORTER, SCOTT, WEIBERG & DELEHANT

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By /s/ Anthony Warburg
Anthony S. Warburg, Attorney for Defendant MTD
CONSUMER GROUP, INC.

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14 Dated: 1/8/10.

DRYDEN, MARGOLES, SCHIMANECK &
WERTZ

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By /s/ Lawrence A. Margoles
Lawrence A. Margoles, Attorney for Defendant
BRIGGS & STRATTON CORPORATION

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19 Dated: 1/8/10.

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH

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By /s/ Mark Busick
Mark Busick, Attorney for Defendant WALBRO
CORPORATION

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ORDER

WHEREAS, the parties having stipulated, pursuant to Federal Rule of Civil Procedure 41(a), IT IS ORDERED that all claims against Defendants DAPCO INDUSTRIES, MTD CONSUMER GROUP, INC., BRIGGS & STRATTON CORPORATION, AND WALBRO CORPORATION and this action, are hereby dismissed, **with prejudice**, with each side to bear its own costs and attorney's fees.

IT IS SO ORDERED.

Dated: January 12, 2010

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE