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RAILROAD PASSENGER CORPORATION,
8 Defendant and Cross-Claimant JOSHUA KYLES,
and Defendant and Third-Party Defendant BNSF
9 RAILWAY COMPANY

10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

12 RANDY'S TRUCKING, INC., et al.,

13 Plaintiffs,

14 v.

15 CITY OF SHAFTER; et al.,

16 Defendants.

Case No. 1:08-cv-00819 OWW SKO

Consolidated with Case Nos.
1:09-cv-00331 OWW DLB and
1:09-cv-01759 OWW DLB

STIPULATION & ORDER OF DISMISSAL

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19 AND ALL RELATED AND
20 CONSOLIDATED ACTIONS.

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22 IT IS HEREBY STIPULATED by and between Plaintiff TINA KNOTT ("Plaintiff") and
23 Defendants NATIONAL RAILROAD PASSENGER CORPORATION (Amtrak), through their
24 designated counsel, that the above-captioned action be and hereby is dismissed with prejudice as
25 to Plaintiff's Complaint against Amtrak only, pursuant to Federal Rule of Civil Procedure
26 41(a)(1). Each party agrees to bear their own costs.

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IT IS HEREBY FURTHER STIPULATED that, once Amtrak is dismissed as a party to the matter of *Tina Knott v. Randy's Trucking, Inc., et al.*, Case No. 1:09-cv-01759 OWW DLB, this Court will be deprived of jurisdiction and that matter alone should be deconsolidated and separately remanded to the the Superior Court of California, County of Kern.

Dated: August 11, 2010 A.A. ACCIDENT ATTORNEYS

By: /s/ Paul E. Lee
PAUL E. LEE
Attorneys for Plaintiff TINA KNOTT

Dated: August 25, 2010 LOMBARDI, LOPER & CONANT, LLP

By: /s/ Jason B. Shane
JASON B. SHANE
Attorneys for Defendants
NATIONAL RAILROAD PASSENGER CORPORATION and JOSHUA KYLES

IT IS SO ORDERED.

Dated: September 30, 2010 /s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE