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Attorneys for MULTIMATIC CORPORATION, now known as THE KIRRBERG CORPORATION, MULTIMATIC LLC, and THE KIRRBERG CORPORATION, formerly known as MULTIMATIC CORPORATION

UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

TEAM ENTERPRISES, LLC,

 v.
 WESTERN INVESTMENT REAL ESTATE TRUST, et al.,

 Defendants.

1:08-cv-00872-LJO-SMS
 Hon. Lawrence J. O’Neill
JOINT STIPULATION FOR VOLUNTARY DISMISSAL; ORDER
 [Fed. R. Civ. P. 41(a)(2); L.R. 83-143]

TEAM ENTERPRISES, INC.,

 v.
 LEGACY VULCAN CORP., et al.,

 Defendants.

AND RELATED ACTIONS.

Pursuant to Federal Rule of Civil Procedure 41(a)(2) and (c) and Local Rule 83-143, MULTIMATIC CORPORATION, now known as THE

KIRRBERG CORPORATION, MULTIMATIC LLC, and THE KIRRBERG CORPORATION, formerly known as MULTIMATIC CORPORATION (collectively “Multimatic”), PAN PACIFIC RETAIL PROPERTIES, INC., KIMCO RETAIL CORPORATION, PK II CENTURY CENTER LP, and PRUDENTIAL REAL ESTATE INVESTORS (collectively “PKII”), and JOHN A. BRANAGH, LYNETTE F. BRANAGH, GAYLON C. PATTERSON, MARLA J. PATTERSON, MODESTO CENTER INVESTORS, L.P., and MCII, L.P. (collectively “Modesto Center Investors”), hereby stipulate and respectfully request that this Court enter an order dismissing without prejudice, PKII’s crossclaims against Multimatic, filed March 13, 2009 (Doc. 144) and Modesto Center Investors’ crossclaims against Multimatic, filed March 30, 2009 (Doc. 158), in view of this Court’s Order on Multimatic’s Motion for Judgment on the Pleadings, filed June 11, 2010 (Doc. 296).

Further, Multimatic, PKII, and Modesto Center Investors stipulate and respectfully request that this Court enter an order dismissing without prejudice Multimatic’s crossclaims against PKII and Modesto Center Investors filed March 13, 2009 (Doc. 139).

Each party to pay its own costs.

DATED: August 18, 2010

DONGELL LAWRENCE FINNEY LLP

By: /s/ Ian P. Culver
Ian P. Culver
Attorneys for MULTIMATIC CORPORATION, now known as THE KIRRBERG CORPORATION, MULTIMATIC LLC, and THE KIRRBERG CORPORATION, formerly known as MULTIMATIC CORPORATION

DATED: August 18, 2010

ROGERS JOSEPH O’DONNELL

By: /s/ Robert C. Goodman
Robert C. Goodman
Attorneys for JOHN A. BRANAGH,
LYNETTE F. BRANAGH, GAYLON C.
PATTERSON, MARLA J. PATTERSON,
MODESTO CENTER INVESTORS, L.P.,
and MCII, L.P.

DATED: August 18, 2010

GREENBURG TRAURIG, LLP

By: /s/ Kathleen E. Finnerty
Kathleen E. Finnerty
Attorneys for PAN PACIFIC RETAIL
PROPERTIES, INC., KIMCO RETAIL
CORPORATION, PK II CENTURY
CENTER LP, and PRUDENTIAL REAL
ESTATE INVESTORS

IT IS SO ORDERED.

DATED: August 19, 2010

/s/ Lawrence J. O'Neill
United States District Judge

1414-020/53900