

1 **RANDY RUMPH** (SBN: 232235)  
 1401 - 19<sup>TH</sup> STREET, SUITE 200  
 2 BAKERSFIELD, CALIFORNIA 93301  
 PHONE: (661) 322-4600  
 3  
 4 ATTORNEY FOR PLAINTIFF ANTHONY BURGESS

5  
 6  
 7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **EASTERN DISTRICT OF CALIFORNIA**  
 10

11 ANTHONY BURGESS, an individual,  
 12  
 PLAINTIFF,  
 13  
 vs.  
 14 WM. BOLTHOUSE FARMS, INC.; and  
 15 DOES 1 through 5.  
 16 DEFENDANTS.

CASE NO. 1:08-CV-01287 (GSA)  
**STIPULATION AND ORDER OF  
 DISMISSAL**

17 IT IS HEREBY STIPULATED by and between the parties to this action that the above-  
 18 captioned action be and hereby is dismissed with prejudice pursuant to Federal Rules of Civil  
 19 Procedure 41(a)(1), each party to bear its own costs and attorneys' fees.

20 ///  
 21 ///  
 22 ///  
 23 ///  
 24 ///  
 25 ///  
 26 ///  
 27 ///  
 28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: May 3, 2010

/s/ Randy Rumph

**RANDY RUMPH**  
ATTORNEY FOR PLAINTIFF

CLIFFORD & BROWN

By: /s/ John Szewczyk  
**JOHN SZEWCZYK**  
ATTORNEY FOR DEFENDANT

**ORDER**

The parties to this action having stipulated through their designated counsel, the above-captioned action shall be and hereby is dismissed, with prejudice, pursuant to Federal Rules of Civil Procedure, 41(a)(1). The clerk of the court is directed to close out this action in its entirety.

IT IS SO ORDERED.

Dated: May 3, 2010

/s/ Lawrence J. O'Neill  
UNITED STATES DISTRICT JUDGE