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(SPACE BELOW FOR FILING STAMP ONLY)

Attorneys for Defendant  
KIRA DAVIS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

METROPOLITAN LIFE INSURANCE  
COMPANY,

Plaintiff,

v.

MICHAEL BURTON, M.B. and KIRA  
DAVIS,

Defendants.

Case No. 1:08-CV-01719-SMS

**ORDER OF DISMISSAL WITH  
PREJUDICE**

[Fed. R. Civ. Proc. 41(a)(1)(ii)]

IT IS HEREBY ORDERED that, based on the stipulation of the parties, plaintiff METROPOLITAN LIFE INSURANCE COMPANY and defendants MICHAEL BURTON, M.B. and KIRA DAVIS, by and through their respective counsel of record, that the action styled "*Metropolitan Life Insurance Company v. Michael Burton, et al.* (Case No. 1:08-CV-01719-AWI-SMS) is dismissed, with prejudice, pursuant to the provisions of F.R.C.P. 41(a)(1)(ii), with each side to bear its own attorneys fees and costs.

Dated: June 11, 2010

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE