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16 UNITED STATES DISTRICT COURT  
 17 EASTERN DISTRICT OF CALIFORNIA  
 18

<p>19 JAMES R. TAPP,</p> <p>20</p> <p>21 Plaintiff,</p> <p>22 v.</p> <p>23 THOR INDUSTRIES, INC., a corporation;          FREIGHTLINER, LLC, a limited liability          24 company; and DOES 1 through 10, inclusive,</p> <p>25 Defendants.</p> <hr/>	<p>) Case No.: 1:08-CV-01907-OWW-GSA</p> <p>)</p> <p>) STIPULATION OF DISMISSAL OF ENTIRE</p> <p>) ACTION WITH PREJUDICE AND ORDER</p> <p>)</p> <p>) Judge: Hon. Oliver W. Wanger</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>
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27 Pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii), plaintiff JAMES R. TAPP,

28 defendant FOUR WINDS INTERNATIONAL CORPORATION, and defendant,

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STIPULATION OF DISMISSAL OF ENTIRE ACTION WITH PREJUDICE AND ORDER

1 FREIGHTLINER, LLC, by and through their respective counsel, stipulate that this action shall  
2 be, and is, dismissed with prejudice.

3 The parties stipulate that each party shall bear its own attorneys' fees and costs in this  
4 action.

5  
6 Dated: May 19, 2010

KEMNITZER, BARRON & KRIEG, LLP

7  
8 By: /s/ WILLIAM M. KRIEG, ESQ.

9 WILLIAM M. KRIEG,  
Attorney for Plaintiff

10 Dated: May \_\_\_\_, 2010

SUMMERS & SHIVES, A.P.C.

11  
12 By: /s/ DOLORES E. GONZALES

13 DOLORES E. GONZALES,  
14 Attorney for Defendant, FOUR WINDS  
INTERNATIONAL CORP.

15 Dated: May 19, 2010

MURCHISON & CUMMING, LLP

16  
17 By: /s/ RICHARD C. MORENO, ESQ.

18 RICHARD C. MORENO,  
19 Attorney for Defendant, FREIGHTLINER  
CUSTOM CHASSIS CORP.

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21  
22 IT IS SO ORDERED.

23 Dated: May 28, 2010

24 /s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE