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 16 UNITED STATES DISTRICT COURT
 17 EASTERN DISTRICT OF CALIFORNIA

18 BYRON CHAPMAN,
 19 Plaintiff,

Case No. 09-CV-00024-LJO-SMS

20 v.

**STIPULATION OF DISMISSAL AND
 ORDER THEREON**

21 PEA SOUP ANDERSON'S - SANTA
 22 NELLA, INC. dba PEA SOUP
 ANDERSON'S; KHURI FAMILY LIMITED
 23 PARTNERSHIP,

24 Defendants.

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TO THE COURT AND ALL PARTIES:

Pursuant to a Settlement Agreement and Release between plaintiff, BYRON CHAPMAN, and defendant, PEA SOUP ANDERSON'S - SANTA NELLA, INC. dba PEA SOUP ANDERSON'S; KHURI FAMILY LIMITED PARTNERSHIP, , and pursuant to Fed. R. Civ. P. 41(a)(1)(ii), the parties hereby request that all parties be dismissed with prejudice from the above-entitled action.

Dated: September 1, 2009

DISABLED ADVOCACY GROUP, APLC

s/s Lynn Hubbard III
LYNN HUBBARD III
Attorney for Plaintiff

Dated: September 1, 2009

KIRK & SIMAS

s/s Ryan Fothergill
RYAN FOTHERGILL
ALEXANDER F. SIMAS
Attorney for Defendants

ORDER

IT IS HEREBY ORDERED that the complaint of plaintiff, USDC Case No. 09-CV-00024-LJO-SMS, is hereby dismissed with prejudice.

IT IS SO ORDERED.

Dated: September 3, 2009

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