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 United States of America

8 **UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**

10	KIRSTIE DUNBAR-KARI,)	1:09-cv-00389-LJO-DLB
11)	
12	Plaintiff,)	STIPULATION RE DISMISSAL
13	v.)	
14	UNITED STATES OF AMERICA;)	
15	STUART JOHNSTON, dba JOHNSTON)	
16	CONSTRUCTION,)	
	Defendants.)	
17	_____)	
18	STUART JOHNSTON dba JOHNSTON)	
19	CONSTRUCTION,)	
20	Cross-Complainant,)	
21	v.)	
22	UNITED STATES OF AMERICA and)	
23	ROES 1 to 50,)	
	Cross-Defendants.)	

24 IT IS STIPULATED by and between Cross-Complainant STUART JOHNSTON dba
 25 JOHNSTON CONSTRUCTION and UNITED STATES OF AMERICA, through their respective
 26 counsel, that pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1), the Cross-Claim in the
 27 above-entitled matter and all alleged claims therein are dismissed without prejudice as to cross-
 28 defendant, UNITED STATES OF AMERICA, only, with a waiver of fees and costs, each party

1 to bear its own attorney fees, arising from the above-captioned matter. This stipulation does not
2 act as a retraxit.

3
4 Dated: December 20, 2010

Respectfully submitted,
BENJAMIN B. WAGNER
United States Attorney

5
6 /s/ Alyson A. Berg
7 ALYSON A. BERG
8 Attorneys for Defendant and
9 Cross-Defendant United States of America

10 Jacobson, Hansen, Najarian &
11 McQuillan

12 Dated: December 20, 2010

(As authorized 12/20/10)
13 /s/Leith B. Hansen
14 LEITH B. HANSEN
15 Attorneys for Defendant and
16 Cross-Complainant

17 **ORDER**

18 IT IS SO ORDERED.

19 **Dated: December 20, 2010**

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