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11 Administrative Office of Northern California,
12 Dba Laborers Health & Welfare Trust Fund
13 for Northern California, Inc.

14 UNITED STATES DISTRICT COURT

15 EASTERN DISTRICT OF CALIFORNIA

16 FRESNO DIVISION

17 FRESNO COMMUNITY HOSPITAL AND
18 MEDICAL CENTER, dba UNIVERSITY
19 MEDICAL CENTER,

Plaintiff,

vs.

20 LABORERS FUNDS ADMINISTRATIVE
21 OFFICE OF NORTHERN CALIFORNIA, dba
22 LABORERS HEALTH & WELFARE TRUST
23 FUND FOR NORTHERN CALIFORNIA,
24 INC.,

Defendant.

Case No.: 1:09-CV-01019-LJO-SMS

**STIPULATION FOR DISMISSAL;
ORDER THEREON**

STIPULATION

25 IT IS HEREBY STIPULATED by and between Petitioner Fresno Community Hospital
26 and Medical Center and Respondent Laborers Funds Administrative Office of Northern
27 California, through their respective counsel, that this action be dismissed, with prejudice,

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1 each party to bear its own attorneys' fees and costs.

2 DATED: September 8, 2009

3 STEPHENSON, ACQUISTO & COLMAN

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5 By /s/
6 David W. Lamb

7 Attorneys for Petitioner Fresno Community
8 Hospital and Medical Center

9 DATED: September 9, 2009

10 BULLIVANT HOUSER BAILEY PC

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12 By /s/
13 Susan J. Olson
Peter Roldan

14 Attorneys for Respondent Laborers Funds
15 Administrative Office of Northern California

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17 **ORDER**

18 The parties having so stipulated and good cause appearing:

19 IT IS HEREBY ORDERED that this action is dismissed, with prejudice, each party to
20 bear its own attorneys' fees and costs.

21 DATED: September 9, 2009

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23 By /s/ Lawrence J. O'Neill
24 HON. LAWRENCE J. O'NEILL
UNITED STATES DISTRICT JUDGE

25 11873788.1