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6 Attorney for ANDY D. STOLTZNER

7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **EASTERN DISTRICT OF CALIFORNIA**

11 ANDY D. STOLTZNER ,	) No. 1:09-CV-01621 GSA STIPULATION TO DISMISSAL
12 Plaintiff,	
13 v.	
14 MICHAEL J. ASTRUE	
15 Commissioner of Social Security,	
16 Defendant.	)
17	)
18	)

19 The parties, through their undersigned counsel of record, HEREBY  
 20 STIPULATE, subject to the approval of the Court, to a dismissal of the above-  
 21 captioned matter, pursuant to Rule 41 (a)(1)(ii) of the Federal Rules of Civil  
 22 Procedure. Each party shall bear his/her own costs and expenses.

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DATED: April 28, 2010

LAW OFFICES OF LAWRENCE D. ROHLFING

*/s/ - Steven G. Rosales*

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Steven G. Rosales  
Attorney for ANDY D. STOLTZNER

DATED: April 28, 2010

BENJAMIN WAGNER  
United States Attorney

\*Jacob M. Mikow

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Jacob M. Mikow  
Special Assistant United States Attorney  
Attorney for Defendant  
[\*By email authorization]

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IT IS HEREBY ORDERED, based on the stipulation by and between the parties, through their respective counsel, that the court dismisses the above matter without prejudice. Each side to bear his/her own costs and expenses, including but not limited to attorney's fees.

IT IS SO ORDERED.

DATE: April 28, 2010

/s/ Gary S. Austin  
THE HONORABLE GARY S. AUSTIN  
UNITED STATES MAGISTRATE JUDGE