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9 **Attorneys for Plaintiff**  
10 **Joe Hand Promotions, Inc.**

11 **UNITED STATES DISTRICT COURT**  
12 **EASTERN DISTRICT OF CALIFORNIA**

13 **JOE HAND PROMOTIONS, INC.,**

14 **Plaintiff,**

15 **vs.**

16 **DAVID ALVARADO, ET AL.,**

17 **Defendants.**

18 **CASE NO. CV 10-0907 LJO JLT**

19 **STIPULATION OF DISMISSAL OF**  
20 **PLAINTIFF'S COMPLAINT AGAINST**  
21 **DEFENDANT ADOLFO ORDAZ, JR.,**  
22 **individually and d/b/a FRANKIE'S BAR**  
23 **A/K/A PATRON'S SPORTS BAR**

24 **IT IS HEREBY STIPULATED** by and between Plaintiff JOE HAND PROMOTIONS, INC.  
25 and Defendant ADOLFO ORDAZ, JR., individually and d/b/a FRANKIE'S BAR A/K/A PATRON'S  
26 SPORTS BAR, that the above-entitled action is hereby dismissed **without prejudice** against  
27 ADOLFO ORDAZ, JR., individually and d/b/a FRANKIE'S BAR A/K/A PATRON'S SPORTS BAR.

28 **IT IS FURTHER STIPULATED** that provided no Party referenced above has filed a motion  
to reopen this action by September 1, 2012, this Court shall *not* have jurisdiction to set aside the  
dismissal and the dismissal shall be deemed to be **with prejudice**.

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1 This dismissal is made pursuant to Federal Rules of Civil Procedure 41(a)(1). Each Party  
2 referenced-above shall bear its own attorneys' fees and costs.

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5 Dated: November 15, 2011

*s/ Thomas P. Riley*

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**LAW OFFICES OF THOMAS P. RILEY, P.C.**

By: Thomas P. Riley

Attorneys for Plaintiff

JOE HAND PROMOTIONS, INC.

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10 Dated: November 21, 2011

*s/ John R. Waterman*

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**BORTON PETRINI, LLP**

By: John R. Waterman

Attorneys for Defendant ADOLFO ORDAZ, JR., individually

and d/b/a FRANKIE'S BAR A/K/A PATRON'S SPORTS

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15 **ORDER**

16 This Court enters this order on the parties' stipulation and vacates the December 7, 2011  
17 pretrial conference and December 20, 2011 trial. The October 18, 2011 order for status reports  
18 remains in effect. The clerk is directed not to close this action.

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20 IT IS SO ORDERED.

21 Dated: November 22, 2011

/s/ Lawrence J. O'Neill

UNITED STATES DISTRICT JUDGE