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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION
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11 SCOTT LINENBROKER, an individual,

12 Plaintiff,

13 v.

14 ITT EDUCATIONAL SERVICES, INC. dba
ITT TECHNICAL INSTITUTE, a California
15 Corporation and DOES 1-50,

16 Defendants.
17

Case No. 1:14-CV-00207-LJO-GSA

**STIPULATION FOR DISMISSAL OF
ACTION; ORDER**

Trial Date: October 27, 2015

18 IT IS HEREBY STIPULATED by and between Plaintiff SCOTT LINENBROKER and
19 Defendant ITT EDUCATIONAL SERVICES, INC. dba ITT TECHNICAL INSTITUTE, a California
20 Corporation, the parties to this action, by and through their respective counsel, that pursuant to Federal
21 Rule of Civil Procedure 41(a)(1)(A)(ii), the above-captioned action be dismissed with prejudice in its
22 entirety.

23 Dated: May 6, 2015

MICHAEL J.F. SMITH,
A PROFESSIONAL CORPORATION

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26 By: /S/ MICHAEL J.F. SMITH
Michael J.F. Smith
27 Attorneys for Plaintiff SCOTT LINENBROKER
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1 Dated: May 5, 2015

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

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By: /S/ DAVID R. McNAMARA
David R. McNamara
Deborah A. Byron
Attorneys for Defendant ITT EDUCATIONAL
SERVICES, INC. dba ITT TECHNICAL
INSTITUTE

ORDER

The parties having so stipulated,
IT IS HEREBY ORDERED that this action be dismissed with prejudice in its entirety.

IT IS SO ORDERED.

Dated: May 6, 2015

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

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF FRESNO

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Fresno, State of California. My business address is 7647 North Fresno Street, Fresno, CA 93720.

On April __, 2015, I served true copies of the following document(s) described as **STIPULATION FOR DISMISSAL OF ACTION; [PROPOSED] ORDER** on the interested parties in this action as follows:

MICHAEL J.F. SMITH Attorney for Plaintiff, Scott Linenbroker
Michael J.F. Smith,
A Professional Corporation
1391 W. Shaw Avenue, Suite D
Fresno, California 93711
Email: mjfsmith@mjfsmith.com

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on April __, 2015, at Fresno, California.

Lisa Hammond

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