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5 Attorneys for Plaintiffs  
 Charles H. Lewis and Jane W. Lewis (Deceased)  
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8 UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA

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 11 CHARLES H. LEWIS, et al., )

Case No. **CIV. S-03-2646 WBS CKD**

12 Plaintiffs, )

13 v. )

**STIPULATION FOR  
 ORDER OF DISMISSAL  
 [FRCP 41(a)(2)]**

14 ROBERT D. RUSSELL; et al., )

15 Defendants. )

**[Proposed]  
 ORDER OF DISMISSAL**

16 \_\_\_\_\_ )  
 17 AND RELATED COUNTER, CROSS AND )  
 THIRD PARTY CLAIMS. )  
 18 \_\_\_\_\_ )

19 Plaintiff Charles H. Lewis, on behalf of himself and for Jane W. Lewis, Deceased  
 20 (“Lewis”), and defendant Martin Franchises Inc., aka/dba Martinizing Dry Cleaning (“Martin”),  
 21 through their respective attorneys of record, stipulate to an order of the above-entitled Court  
 22 dismissing the above-entitled action, as against Martin only, with prejudice, according to the  
 23 terms of a Mutual Release of Claims (the “Release”), having an “Effective Date” of September 13,  
 24 2011, entered into by and between Lewis and Martin.

25  
 26 Dated: September \_\_16\_\_, 2011. /s/ \_\_\_\_\_  
 27 S. Craig Hunter  
 Attorney for Plaintiffs  
 Charles H. Lewis and  
 28 Jane W. Lewis (Deceased)

1 Dated: September \_16\_\_\_\_, 2011. Gordon & Rees, LLP

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By: /s/ \_\_\_\_\_  
Kristin Reyna  
Attorneys for Martin Franchises Inc.  
aka/dba Martinizing Dry Cleaning

**ORDER OF DISMISSAL**

The Court, having reviewed and considered the stipulation set forth above, and good cause appearing therefor:


**IT IS HEREBY ORDERED** that the above-entitled action be, and hereby is, dismissed, as against defendant Martin Franchises Inc., aka/dba Martinizing Dry Cleaning only, with prejudice.

**IT IS ALSO HEREBY ORDERED** that the dismissal is expressly conditioned upon the terms and conditions of that certain Mutual Release of Claims entered into by and between Lewis and Martin having an Effective Date of September 13, 2011 (the "Release").

**IT IS FURTHER HEREBY ORDERED** that the Court retains jurisdiction of this matter for the sole purpose of taking any action needed to enforce the terms of the Release.

**IT IS FURTHER HEREBY ORDERED** that each of the parties hereto shall bear its own costs, including attorney's fees, as provided in the Release.

Dated: September 19, 2011

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE