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DISABLED ACCESS PREVENTS INJURY, INC.  
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Attorney for Plaintiff Scott N. Johnson

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

**IT IS HEREBY STIPULATED** by and between the parties to this action through their designated counsel that this action be and is hereby dismissed with prejudice pursuant to FRCP 41 (a)(2). The Parties shall bear their own costs and attorneys' fees in connection with the Lawsuit and the negotiation and preparation of this Agreement.

1 Dated: February 6, 2009

NIXON PEABODY, LLC

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3 /s/Ellen M. Papadakis

4 ELLEN M. PAPADAKIS,

5 Attorneys for Defendant,

6 JIFFY LUBE INTERNATIONAL, INC.

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8 DISABLED ACCESS PREVENTS INJURY, INC.

9  
10 Dated: February 6, 2009

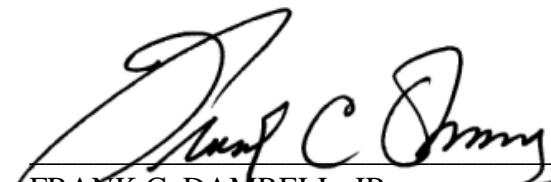
/s/Scott N. Johnson

11 SCOTT N. JOHNSON,

12 Attorney for Plaintiff

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14 **IT IS SO ORDERED.**

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16 Dated: February 6, 2009



17 FRANK C. DAMRELL, JR.  
18 UNITED STATES DISTRICT JUDGE

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