

1 AT&T SERVICES, INC. LEGAL DEPARTMENT  
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5 Attorneys for Defendants  
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9 UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT

11 SHERRY BURNS, individually and in her  
capacity as Guardian of Kellie A. Burns and  
Matthew P. Burns

CASE NO. 2:07-cv-02162-MCE-KJM

12 Plaintiff,

**STIPULATION AND ORDER FOR  
DISMISSAL**

13 vs.  
14

SBC COMMUNICATIONS, INC. et. al.,

15 Defendants.  
16 \_\_\_\_\_/

17 WHEREAS this was an action in which surviving children sought various employment  
18 benefits from defendants related to the death of their father, and

19 WHEREAS defendants have now paid all benefits due, and

20 WHEREAS the parties negotiated a settlement of additional disputed amounts, specifically,  
21 attorneys fees and interest, and

22 WHEREAS the negotiated disputed amounts have now been paid to plaintiffs, and

23 WHEREAS all plaintiffs are no longer minors, and

24 WHEREAS all plaintiffs have signed, with advise and counsel of their attorney, a Release  
25 and Settlement Agreement which is acceptable to defendants, and

26 WHEREAS all parties have now resolved all matters at issue in this lawsuit and now request  
27  
28

1 the Court to dismiss this action, each side to bear their own fees (other than the amounts already  
2 negotiated and paid),

3 NOW THEREFORE, the parties, through their attorneys, STIPULATE:

- 4 1. All parties have reached an acceptable resolution to this matter.  
5 2. All settlement amounts have been paid.  
6 3. The parties jointly request that the Court dismiss this action with prejudice, each side to  
7 bear their own costs and fees.  
8

9 DATED: May 26, 2010

MICHAEL F. BABITZKE, INC.

11 by \_\_\_\_\_ /S/

12 \_\_\_\_\_ Michael F. Babitzke  
13 Counsel for all Plaintiffs

14 DATED: May 18, 2010

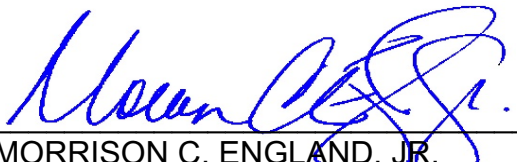
AT&T SERVICES, INC. - LEGAL DEPARTMENT

16 By \_\_\_\_\_ /S/

17 \_\_\_\_\_ GERARD J. DONNELLAN  
Counsel for all Defendants

18 **GOOD CAUSE APPEARING, THIS CASE IS DISMISSED WITH**  
19 **PREJUDICE. THE CLERK IS DIRECTED TO CLOSE THE FILE.**  
20 **IT IS SO ORDERED.**  
21

22 Dated: May 28, 2010

23   
24 \_\_\_\_\_  
25 MORRISON C. ENGLAND, JR.  
26 UNITED STATES DISTRICT JUDGE  
27  
28