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

13 SARAH HYATT,)	CASE NO.: 2:08-CV-01067-JAM-JFM
)	
14 Plaintiff,)	STIPULATION AND ORDER FOR
)	DISMISSAL
15 vs.)	
)	
16 WAFFLE BARN, INC.,)	
)	
17 Defendant.)	
_____)	

18
 19 IT IS HEREBY STIPULATED by and between Defendant WAFFLE BARN, INC., and Plaintiff,
 20 SARAH HYATT (the “Parties”), through their respective attorneys of record, that the Parties have agreed
 21 to resolve the case between them by way of settlement.

22 The Parties further stipulate, pursuant to Federal Rule of Civil Procedure 41(a)(1) and (2), that this
 23 Court enter a dismissal of Plaintiff’s Complaint in United States District Court Case No. 2:09-CV-01067-
 24 JAM-JFM with prejudice as to Defendant WAFFLE BARN, INC. The Parties further stipulate that each
 25 party shall bear its own costs and fees with respect to any claims they may have against each other in the
 26

1 instant action.

2
3 Dated: December 15, 2009

LAW OFFICES OF ELIZABETH S. MANCL

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5 By: /s/ Elizabeth S. Mancl

ELIZABETH S. MANCL

Attorney for Plaintiff

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7 Dated: December 15, 2009

MATHENY SEARS LINKERT & JAIME, LLP

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9 By: /s/ Michael A. Bishop

MICHAEL A. BISHOP

Attorneys for Defendant

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12 IT IS HEREBY ORDERED that pursuant to the Stipulation of Dismissal, Plaintiff's Complaint in
13 United States District Court Case No. 2:08-CV-01067-JAM-JFM is hereby dismissed with prejudice as to
14 Defendant WAFFLE BARN, INC. Each Party shall bear its own costs and fees, except as otherwise set
15 forth in the Settlement Agreement and Mutual Release, which is incorporated herein by reference.
16

17 IT IS ORDERED.

18 Dated: December 16, 2009

/s/ John A. Mendez

U.S. DISTRICT COURT JUDGE