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UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA

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TONY MARTINEZ,

Case No. CIV. S-08-02484-JAM-JFM

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Plaintiff,

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v.

**STIPULATION FOR DISMISSAL AND
 ORDER THEREON**

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PETCO ANIMAL SUPPLIES STORES,
 19 INC., dba PETCO; DONHAHUE SCHRIBER
 REALTY GROUP, LP

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Defendants.

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1 TO THE COURT AND ALL PARTIES:

2 Pursuant to a Settlement Agreement and Release between plaintiff TONY
3 MARTINEZ, and defendant, PETCO ANIMAL SUPPLIES STORES, INC., dba PETCO
4 and pursuant to Fed. R. Civ. P. 41(a)(1)(ii), plaintiff hereby requests that the Court dismiss
5 the above-entitled action, with prejudice, **as to defendant PETCO ANIMAL SUPPLIES**
6 **STORES, INC. dba PETCO only.**

7 _____ Nothing in this Request for Dismissal shall be construed to affect plaintiff's complaint
8 and claims in the above-referenced case against defendants other than defendant PETCO
9 ANIMAL SUPPLIES STORES, INC. dba PETCO

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12 Dated: January 12, 2009

DISABLED ADVOCACY GROUP, APLC

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14 /s/ Lynn Hubbard III
15 LYNN HUBBARD, III
16 Attorney for Plaintiff

17 Dated: January 12, 2009

LAYFAYETTE & KUMAGAI

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19 /s/ Eric DeWalt
20 ERIC DeWALT
21 Attorney for Defendant Petco Animal Supplies
22 Stores, Inc, et al

ORDER

23 IT IS HEREBY ORDERED that the complaint of plaintiff, USDC Case No. CIV.S-08-
24 02484 JAM JFM, is hereby dismissed with prejudice **as to PETCO ANIMAL SUPPLIES**
25 **STORES, INC. only.**

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27 Dated: January 13, 2008

/s/ John A. Mendez
United States District Court Judge