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11
12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF CALIFORNIA

14 TONY MARTINEZ

Case No. CIV. S-08-02486-MCE-KJM

15 Plaintiff,

16 v.

**STIPULATION FOR DISMISSAL AND
ORDER THEREON**

17 MP BIRDCAGE MARKETPLACE, LLC;
18 LONGS DRUG STORES CALIFORNIA,
INC. dba LONGS DRUG STORES, INC.
19 dba MICHAEL'S STORES, INC. dba
MICHAEL'S STORE #1614; COST PLUS,
20 INC. dba COST PLUS WORLD MARKET
#26; DOLLAR TREE STORES, INC. dba
21 DOLLAR TREE STORE #2922;
COPPERWOOD SQUARE, LLC,

22 Defendants.
23 _____/

1 TO THE COURT AND ALL PARTIES:

2 Pursuant to a Settlement Agreement and Release between plaintiff TONY
3 MARTINEZ, and defendant MICHAEL'S STORES, INC. dba MICHAEL'S STORE #1614,
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 MICHAEL'S STORES, INC. Dba**
6 **MICHAEL'S STORE #1614 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
9 MICHAEL'S STORES, INC.

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11
12 Dated: April 1 2009

DISABLED ADVOCACY GROUP, APLC

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

17 Dated: April 2, 2009

SEYFARTH SHAW

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19 /s/ Eden Anderson
20 EDEN ANDERSON
21 Attorney for Defendant Michael's Stores, Inc.


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ORDER

IT IS HEREBY ORDERED that the complaint of plaintiff, USDC Case No. CIV.S-08-02486 MCE KJM, is hereby dismissed with prejudice **as to MICHAEL'S STORES, INC. Dba MICHAEL'S STORE #1614 Only.**

Dated: April 10, 2009


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE