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14 Attorneys for Defendant

15 **UNITED STATES DISTRICT COURT**
 16 **EASTERN DISTRICT OF CALIFORNIA**

18	ROBERT HARMON,)	CASE NO.: 2:08-CV-02736-FCD-EFB
)	
19	Plaintiff,)	STIPULATION AND ORDER TO
)	DISMISSAL OF ACTION WITH
20	vs.)	PREJUDICE PURSUANT TO F.R.C.P.
)	41(a)(1)(ii)
21	AGRIUM U.S., INC.,)	
)	
22	Defendant.)	Complaint filed on July 30, 2008
)	
23	_____)	
)	
24)	

1 **STIPULATION FOR DISMISSAL**

2 The parties, by and through their counsel of record, hereby stipulate that the above captioned
3 action be and hereby is dismissed with prejudice pursuant to FRCP 41(a)(1)(ii), with each party bearing
4 its own costs and fees incurred in connection with this litigation.

5 **SO STIPULATED.**

6 DATED: July 21, 2009

By: /s/ Elizabeth S. Mancl, authorized for filing 7/21/09
ELIZABETH S. MANCL
Attorney for Plaintiff

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8
9 DATED: July 21, 2009

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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12 By: /s/ Deborah Martin
DEBORAH L. MARTIN
Attorney for Defendant

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15 **ORDER ON STIPULATION FOR DISMISSAL**

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17 The parties having so stipulated, this matter is hereby ordered DISMISSED WITH PREJUDICE.

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19 DATED: July 24, 009

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22 FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE