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 and Kimco Realty Corporation
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 16 UNITED STATES DISTRICT COURT
 17 EASTERN DISTRICT OF CALIFORNIA

18 ROBERT DODSON,
 19 Plaintiff,

Case No. 2:08-cv-02915-FCD-GGH

20 v.

**STIPULATION AND ORDER FOR
 DISMISSAL**

21 PK I SOUTHPOINTE PLAZA, LP; KIMCO
 REALITY CORPORATION; YOUNGS
 22 MARKETPLACE, INC. dba SEAFOOD CITY
 SUPERMARKET; FORTUNE FOOD
 23 SERVICE COMPANY dba CHOWKING;
 GRILL & GREWAL, INC. dba DENNY'S
 24 #7379,

25 Defendants.

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TO THE COURT AND ALL PARTIES:

Pursuant to a Settlement Agreement and Release between plaintiff ROBERT DODSON, and defendant, **PK I SOUTHPOINTE PLAZA LP and KIMCO REALTY CORPORATION**, and pursuant to Fed. R. Civ. P. 41(a)(1)(ii), plaintiff hereby requests that the Court dismiss the above-entitled action, with prejudice, as to defendant PK I SOUTHPOINTE PLAZA LP and KIMCO REALTY CORPORATION only.

Nothing in this Request for Dismissal shall be construed to affect plaintiff's complaint and claims in the above-referenced case against defendants other than defendant PK I SOUTHPOINTE PLAZA LP and KIMCO REALTY CORPORATION.

Dated: July 14, 2009

DISABLED ADVOCACY GROUP, APLC

s/s Lynn Hubbard, III
LYNN HUBBARD, III
Attorney for Plaintiff Robert Dodson

Dated: July 14, 2009

GORDEE, NOWICKI & ARNOLD LLP

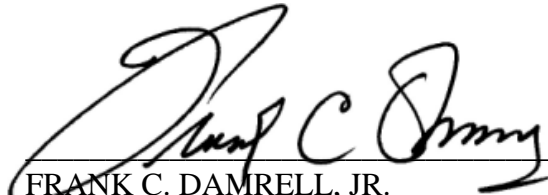
s/s Alan J. Gordee
ALAN J. GORDEE
Attorney for Defendants PK I Southpointe Plaza LP and Kimco Realty Corporation

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ORDER

IT IS HEREBY ORDERED that the complaint of plaintiff, USDC Case No.-08-cv-02915-FCD-GGH, is hereby dismissed with prejudice **as to PK I SOUTHPOINTE PLAZA LP and KIMCO REALTY CORPORATION only.**

Dated: July 15, 2009



FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE