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Attorney for Defendants

16 UNITED STATES DISTRICT COURT  
 17 EASTERN DISTRICT OF CALIFORNIA

18 ROBERT DODSON,  
 19 Plaintiff,

Case No. 2:09-CV-01648-FCD-KJM

20 v.

**STIPULATION AND ORDER FOR  
 DISMISSAL OF ACTION WITH  
 PREJUDICE**

21 FRESH CHOICE, LLC dba FRESH CHOICE  
 22 #011; MASSIE KIDS IV PROPERTIES, LLC;  
 RICKY W. MASSIE,

23 Defendants.

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TO THE COURT AND ALL PARTIES:

Pursuant to Fed. R. Civ. P. 41, plaintiff, ROBERT DODSON, and defendants, FRESH CHOICE, LLC dba FRESH CHOICE #011, MASSIE KIDS IV PROPERTIES, LLC and RICKY W. MASSIE, hereby stipulate and request that Court enter an order dismissing all parties and claims for relief in the above-captioned action, with prejudice with each side to bear its own attorney's fees and costs.

Dated: January 26, 2010

DISABLED ADVOCACY GROUP, APLC

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

Dated: January 22, 2010

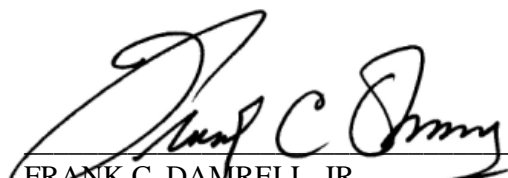
STEYER LOWENTHAL BOODROOKAS  
ALVAREZ & SMITH LLP

/s/ Lucas E. Gilmore  
NICK A. BOODROOKAS  
LUCAS E. GILMORE  
Attorney for Defendants

**ORDER**

IT IS HEREBY ORDERED that the complaint of plaintiff, USDC Case No. 2:09-CV-01648-FDC-KJM, is hereby dismissed with prejudice.

Dated: January 26, 2010

  
FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE