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9 Attorneys for Defendants,  
10 LIBERTY LIFE ASSURANCE COMPANY OF  
11 BOSTON, and LIBERTY MUTUAL LONG TERM  
12 DISABILITY PLAN

13 UNITED STATES DISTRICT COURT  
14 EASTERN DISTRICT OF CALIFORNIA

15 PENNY CARROLL

16 Plaintiff,

17 v.

18 LIBERTY LIFE ASSURANCE COMPANY OF  
19 BOSTON, LIBERTY MUTUAL LONG  
20 TERM DISABILITY PLAN,

21 Defendants.

Case No.: 2:09-cv-02296 – LKK-KJN

**STIPULATION AND ORDER  
DISMISSING DEFENDANTS LIBERTY  
LIFE ASSURANCE COMPANY OF  
BOSTON AND LIBERTY MUTUAL  
LONG DISABILITY PLAN WITH  
PREJUDICE [FRCP 41(a)(1)(A)(ii)]**

22 **IT IS HEREBY STIPULATED** by and between Plaintiff, PENNY CARROLL, and  
23 Defendants, LIBERTY LIFE ASSURANCE COMPANY OF BOSTON and LIBERTY  
24 MUTUAL LONG TERM DISABILITY PLAN, by and through their attorneys of record, that the  
25 above-captioned action shall be, and hereby is, dismissed with prejudice as to all Defendants,  
26 pursuant to Fed. R. Civ. Pro. 41(a)(1)(A)(ii).

27 Each party shall bear its own attorney’s fees and costs.

28 **IT IS FURTHER STIPULATED** that concurrence in the filing of this stipulation and  
proposed order has been obtained from each of the signatories identified below, which shall serve  
in lieu of their physical signatures on the document and shall function as each signatory’s  
signature, whether for purposes of Rule 11 of the Federal Rules of Civil Procedure or for any

1 other purpose; and that this document, filed electronically with the court, shall be deemed signed  
2 by, and binding against, each of the signatories as if the document were physically signed and  
3 filed by them.

4 Dated: June 18, 2010

LAW OFFICES OF JESSE S. KAPLAN

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By:           /s/ Jesse S. Kaplan            
JESSE S. KAPLAN.  
Attorneys for Plaintiff, PENNY CARROLL

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8 Dated: June 18, 2010

ROPERS, MAJESKI, KOHN & BENTLEY

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By:           /s/ Robert M. Forni, Jr.            
PAMELA E. COGAN  
ROBERT M. FORNI, JR.  
Attorneys for Defendants,  
LIBERTY LIFE ASSURANCE  
COMPANY OF BOSTON, and LIBERTY  
MUTUAL LONG TERM DISABILITY  
PLAN

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**ORDER**

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**PURSUANT TO STIPULATION, IT IS HEREBY ORDERED** that the above-  
captioned action is dismissed with prejudice as to all Defendants, including LIBERTY LIFE  
ASSURANCE COMPANY OF BOSTON and LIBERTY MUTUAL LONG TERM  
DISABILITY PLAN, pursuant to Fed. R. Civ. Pro. 41(a)(1)(A)(ii). Each party shall bear its own  
attorney's fees and costs.

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**IT IS SO ORDERED.**

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Dated: June 22, 2010

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LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT

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