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IN THE UNITED STATES DISTRICT COURT  
 FOR THE EASTERN DISTRICT OF CALIFORNIA

Case No.: CIV.S 09-cv-03176-WBS-EFB

Scott N. Johnson

Plaintiff,

vs.

Hoanghai Nguyen, et al,

Defendants

**STIPULATED DISMISSAL OF COLBY G. SMITH, II, Individually and as Trustee of the Colby G. Smith & Mary Smith Family Trust; MARY G. SMITH, Individually and as Trustee of the Colby G. Smith & Mary Smith Family Trust AND ~~Proposed~~ ORDER**

Complaint Filed: NOVEMBER 16, 2009  
 First Amended Filed: MARCH 11, 2010

**CASE TO REMAIN OPEN WITH REMAINING DEFENDANTS**

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**IT IS HEREBY STIPULATED** by Plaintiff, Scott N. Johnson, and Defendants Colby G. Smith, II; Mary G. Smith, by and through their designated Counsel of Record (Scott N. Johnson; Velma K. Lim), that Defendants (Colby G. Smith, II, Individually and as Trustee of the Colby G. Smith & Mary Smith Family Trust; Mary G. Smith, Individually and as Trustee of the Colby G. Smith & Mary Smith Family Trust) be and are hereby dismissed **WITH PREJUDICE** pursuant to FRCP 41 (a)(2). This case is to remain open with remaining Defendants.

1 Defendants (Colby G. Smith, II; Mary G. Smith) are dismissed because Plaintiff and these  
2 Defendants have settled their dispute.

3  
4 Dated: June 16, 2010

/s/Scott N. Johnson  
5 SCOTT N. JOHNSON  
6 Attorney for Plaintiff


7 Dated: June 16, 2010

8 KROLOFF, BELCHER, SMART, PERRY  
& CHRISTOPHERSON

9  
10 /s/ Velma K. Lim  
11 VELMA K. LIM  
12 Attorney for Defendants  
Colby G. Smith, II; Mary G. Smith

13 **IT IS SO ORDERED.**

14  
15 Dated: June 22, 2010

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17 WILLIAM B. SHUBB  
18 UNITED STATES DISTRICT JUDGE