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

14
15 Scott N. Johnson

Case No.: CIV.S 09-cv-03192-LKK-DAD

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17 Plaintiff,
18 vs.

**STIPULATED DISMISSAL OF
DEFENDANTS D.G. SMITH
ENTERPRISES, INC.; DAVID G. SMITH
AND ORDER**

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20 D.G. Smith Enterprises, Inc., et al,

Complaint Filed: NOVEMBER 17, 2009

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22 Defendants

**CASE TO BE REMAINED OPEN WITH
REMAINING DEFENDANTS**

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28 **IT IS HEREBY STIPULATED** by Plaintiff, Scott N. Johnson, and Defendants D.G.
Smith Enterprises, Inc.; David G. Smith, by and through their designated Counsel of record
(Scott N. Johnson; Jennifer Kristin Achtert) that Defendants (D.G. Enterprises, Inc.; David G.
Smith) be and are hereby dismissed **WITH PREJUDICE** pursuant to FRCP 41 (a)(2). This case
is to be remained open with remaining Defendants. Defendants (D.G. Enterprises, Inc.; David G.

1 Smith) are dismissed because Plaintiff and these Defendants have settled their dispute.
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5 Dated: April 27, 2010
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/s/Scott N. Johnson

SCOTT N. JOHNSON
Attorney for Plaintiff

8 Dated: April 27, 2010
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/s/Jennifer Kristin Achtert

JENNIFER KRISTIN ACHTERT,
Attorney for Defendant
D.G. Enterprises, Inc.;
David G. Smith

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12 **IT IS SO ORDERED.**

13 Dated: April 30, 2010
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16 LAWRENCE K. KARLTON
17 SENIOR JUDGE
18 UNITED STATES DISTRICT COURT
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