

1 DENNIS M. COTA, Bar No. 127992
 2 CAROLYN J. FRANK, Bar No. 245479
 3 COTA COLE LLP
 2261 Lava Ridge Court
 4 Roseville, CA 95661
 Telephone: (916) 780-9009
 Facsimile: (916) 780-9050

5 Attorneys for Plaintiff
 Howard McKeon

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 9 UNITED STATES DISTRICT COURT
 10 EASTERN DISTRICT OF CALIFORNIA

11 HOWARD MCKEON,
 12 Plaintiff,
 13 v.
 14 JOSE GUGGENHEIM, et al.,
 15 Defendants.

Case No. 2:09 CV-03288-KJM JFM

**STIPULATION FOR DISMISSAL
 WITH PREJUDICE; ORDER**

17 Pursuant to Federal Rule of Civil Procedure 41(a)(1), the parties to this action, through
 18 their respective counsel of record, hereby stipulate to the dismissal of this action in its entirety,
 19 including Plaintiff's Complaint and Defendant's Cross-Complaint, with prejudice.

20 DATED: May 31, 2011

COTA COLE LLP

22 /s/ Carolyn J. Frank
 Carolyn J. Frank
 Attorneys for Plaintiff
 Howard McKeon

25 DATED: May 31, 2011

COTTON & GUNZIK LLP

27 /s/ Aaron C. Gundzik
 Aaron C. Gundzik
 Attorneys for Defendant
 Jose Guggenheim

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ORDER

Based on the foregoing Stipulation for Dismissal and good cause appearing therefor,
IT IS SO ORDERED that the above-entitled case is dismissed with prejudice. This case is
closed.

Dated: June 2, 2011


UNITED STATES DISTRICT JUDGE

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PROOF OF SERVICE

I, Mylene Tiongco, declare that I am a resident of the State of California and over the age of eighteen years, and not a party to the within action. My business address is Cota Cole LLP, 2261 Lava Ridge Court, Roseville, CA 95661. On May 31, 2011, I served the within document(s):

STIPULATION FOR DISMISSAL WITH PREJUDICE; [PROPOSED] ORDER

- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Roseville, California, addressed as set forth below.
- I caused such envelope to be delivered via overnight delivery addressed as indicated on the attached service list. Such envelope was deposited for delivery by _____ following the firm's ordinary business practices.
- by Federal Court email: by the electronic service procedures of the United States District Court, Eastern District of California, on all parties not served by mail.

Aaron C. Gundzik
Cotton & Gundzik, LLP
624 South Grand Avenue, 22nd Floor
Los Angeles, CA 90017

Attorneys for Defendant
JOSE GUGGENHEIM

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on May 31, 2011, at Roseville, California.

Mylene Tiongco