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 12 GENERAL ELECTRIC CAPITAL
 CORPORATION, CEF FUNDING II, L.L.C.
 13 and CEF FUNDING V, LLC

14 UNITED STATES DISTRICT COURT
 15 FOR THE EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO

17 GENERAL ELECTRIC CAPITAL
 CORPORATION; CEF FUNDING II,
 18 L.L.C. and CEF FUNDING V, LLC,
 19 Plaintiffs,
 20 v.
 21 TEN FORWARD DINING, INC.; ET AL.
 22 Defendants.

23 EQUITY LENDERS LLC,
 24 Counter-Claimant,
 25 v.
 26 GENERAL ELECTRIC CAPITAL
 CORPORATION; ET AL.
 27 Counter-Defendants.
 28

Case No. 2:09-cv-03296 JAM EFB
 Assigned to Judge:
 Hon. John A. Mendez, Ctrm.: 6
 Assigned to Magistrate:
 Hon. Edmund F. Brennan, Ctrm.: 24
**STIPULATION FOR DISMISSAL OF
 EQUITY LENDERS LLC'S
 COUNTERCLAIMS AGAINST
 PLAINTIFFS AND ORDER**
 Date: May 16, 2012
 Time: 9:30 a.m.
 Ctrm.: 6
 Complaint Filed on: November 25,
 2009

1 Consistent with the terms of an executed Settlement Agreement resolving
2 this litigation, Plaintiffs/Counter-claim Defendants General Electric Capital
3 Corporation; CEF Funding II, L.L.C. and CEF Funding V, LLC (collectively
4 “Plaintiffs”), on the one hand, and Defendant/Counter-claimant Equity Lenders
5 LLC (“Equity Lenders”) on the other hand, by and through their respective
6 attorneys of record, HEREBY STIPULATE AND AGREE that each of Equity
7 Lenders’ counter-claims against Plaintiffs set forth in its Amended and
8 Supplemental Counterclaims filed on March 1, 2012 (Doc. No. 129) in the above-
9 captioned action are hereby dismissed with prejudice, pursuant to Fed. R. Civ. P.
10 41(a)(2). Plaintiffs and Equity Lenders further stipulate and agree that each party
11 shall bear its own costs.

12 SO STIPULATED AND AGREED:

13 Dated: September 21, 2012

KUTAK ROCK LLP

14
15 By: /s/ J. David Bournazian

16 J. David Bournazian
17 Alison M. Gutierrez
18 Attorneys for Plaintiffs/Counter-claim
19 Defendants
20 GENERAL ELECTRIC CAPITAL
CORPORATION, CEF FUNDING II,
L.L.C. and CEF FUNDING V, LLC

21
22 Dated: September 20, 2012

HOLLISTER LAW CORPORATION

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24 By: /s/ George C. Hollister

25 George C. Hollister
26 Attorney for Defendant/Counterclaimant
EQUITY LENDERS LLC

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ORDER

IT IS SO ORDERED.

Dated: __9/24/2012

**/s/ John A. Mendez
Hon. John A. Mendez,
Judge of the United States District
Court, Eastern District of California**