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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 MARSHALL LOSCOT,

Case No. 2:10-CV-00231-LKK-EFB

12  
13 Plaintiff,

Civil Rights

14 -vs-

**STIPULATION AND ORDER RE:  
DEFENDANT BRENCAM, INC.’S  
MOTION TO DISMISS FOR  
LACK OF SUBJECT MATTER  
JURISDICTION**

15 BRENCAM, INC., a California Corporation,  
dba PAPA MURPHY’ PIZZA, SHASTA  
16 CROSSROADS II, LLC, a California Limited  
Liability Company, and Does ONE through  
17 FIFTY, inclusive

18 Defendants.  
19 \_\_\_\_\_/

20 Plaintiff Marshall Loscot and defendant Brencam, Inc., by and through their respective  
21 attorneys of record, hereby stipulate that plaintiff’s Complaint shall be dismissed without prejudice.  
22 Each party shall bear their own costs and attorney fees.  
23 Nothing in this order is meant to preclude whatever rights plaintiff may have to re-file a complaint  
24 regarding the same subject matter in state court.

25 It is so stipulated:

26 /s/Andrew Stunich


/s/Jason Singleton

27 Andrew Stunich for Defendant Brencam, Inc.

Jason Singleton for plaintiff

1           Based on the foregoing stipulation and good cause appearing for the motion to dismiss for  
2 lack of subject matter jurisdiction, plaintiff's Complaint is hereby dismissed without prejudice for  
3 lack of subject matter jurisdiction and removed from calendar as to the pending motion to dismiss.  
4 The parties to this stipulation shall bear their own costs and attorney fees.

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6 Dated: March 3, 2010

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10 LAWRENCE K. KARLTON  
11 SENIOR JUDGE  
12 UNITED STATES DISTRICT COURT  
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