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6 ATTORNEYS FOR THE DULY
 APPOINTED CHAPTER 11 TRUSTEE
 7 OF DEFENDANT AND DEBTOR
 KOBRA ASSOCIATES, INC.,
 8 BEVERLY N. MCFARLAND

9 **UNITED STATES DISTRICT COURT**
 10 **EASTERN DISTRICT OF CALIFORNIA**

11 In Re: 12 13 Food Service Management, Inc., 14 Debtor, 15 Beverly N. McFarland 16 Chapter 11 Trustee, 17 Appellant, 18 vs. 19 Equal Employment Opportunity Commission, 20 Appellee.	Case No. 2:10-CV-01032-MCE Bankruptcy Case No. 09-40066-C-11 The Honorable Morrison C. England, Jr. JOINT STIPULATION FOR DISMISSAL OF APPEAL FROM BANKRUPTCY COURT; ORDER
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21 Pursuant to Federal Bankruptcy Rule of Procedure 8001(c)(2), Beverly N.
 22 McFarland, the duly appointed Chapter 11 Trustee for Kobra Associates Inc. and other
 23 debtors, and the U.S. Equal Employment Opportunity Commission (the “EEOC”),
 24 through their respective attorneys of record, hereby stipulate and agree to dismiss the
 25 above entitled appeal with each party bearing their own fees and costs incurred in
 26 connection with the appeal, and paying any courts costs or fees that may still remain
 27 due and payable.

1 Dated: May 17, 2010

WINSTON & STRAWN LLP

2
3 By: /s/ Richard A. Lapping
4 Richard A. Lapping
5 Jeffrey S. Bosley
6 Attorneys for the Duly Appointed Chapter
7 11 Trustee of Appellant and Debtor
8 Kobra Associates, Inc., Beverly N.
9 McFarland

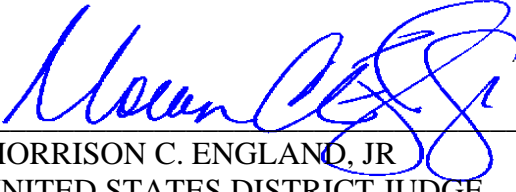
10 Dated: May 17, 2010

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

11 By: /s/ Dana C. Johnson
12 Dana C. Johnson
13 Attorneys for Appellee EEOC

14 IT IS SO ORDERED.

15 Dated: May 26, 2010

16 
17 MORRISON C. ENGLAND, JR.
18 UNITED STATES DISTRICT JUDGE