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

Scott N. Johnson

Plaintiff,

vs.

Christopher Kate, et al,

Defendants

Case No.: CIV.S 10-cv-02368-MCE-KJN

**STIPULATED DISMISSAL RE  
DISMISSAL OF FILZAH AUTO  
MANAGEMENT, INC.; JAMES R.  
KIDDER AND ORDER**

Complaint Filed: SEPTEMBER 2, 2010

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**IT IS HEREBY GRANTED** that Defendants (Filzah Auto Management, Inc.; James R. Kidder) be and are hereby dismissed **WITH PREJUDICE** pursuant to FRCP 41 (a)(2). This case is to remain open with remaining Defendants. Defendants (Filzah Auto Management, Inc.; James R. Kidder) are dismissed because Plaintiff and these Defendants have settled their dispute. This case involved a retail center with multiple business operators and multiple real estate parcels with separate property owners. The Defendants related to this dismissal correlate to one of the real estate parcels and its property owner and the only business operator defendant located

1 on that parcel. The settlement agreement relates solely to these two defendants in regards to both  
2 monetary damages and injunctive relief.

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4 Dated: October 28, 2010

/s/Daniel M. Steinberg  
DANIEL M. STEINBERG  
Attorney for Defendants,  
James R. Kidder;  
Filzah Auto Management, Inc.

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8 Dated: October 27, 2010

/s/Scott N. Johnson  
SCOTT N. JOHNSON  
Attorney for Plaintiff

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12 IT IS SO ORDERED.  
13 DATED: November 12, 2010

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