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DEPUY SYNTHES SALES, INC.  
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10 **UNITED STATES DISTRICT COURT**  
11 **EASTERN DISTRICT OF CALIFORNIA**

12 MICHAEL McGUIRE,  
13 Plaintiff,  
14 v.  
15 NORTH BAY MEDICAL CENTER,  
DEPUY SYNTHES SALES, INC.  
16 ZIMMER; AND DOES 1-30, inclusive,  
17 et al.,  
18 Defendants.

Case No. 2:17-cv-00838-MCE-DB  
**STIPULATION OF DISMISSAL  
PURSUANT TO FRCP 41(a);  
ORDER OF DISMISSAL WITH  
PREJUDICE**

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1 TO THE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Plaintiff Michael McGuire (“Plaintiff”) and Defendant DePuy Synthes Sales,  
3 Inc., incorrectly sued as “Synthes” (“Defendant”) hereby stipulate under Federal  
4 Rule of Civil Procedure 41(a)(1)(ii) that the above-captioned action be dismissed  
5 with prejudice as to all claims, causes of action, and parties, with each party bearing  
6 that party’s own costs and attorneys’ fees, except as necessary to enforce the terms  
7 of the confidential settlement agreement entered into by and between Plaintiff and  
8 Defendant.

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The Law Office of Thomas A. Ambrose

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12 DATED: February 12, 2020

/s/ Thomas Ambrose

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Thomas Ambrose, Esq. for  
Plaintiff MICHAEL MCGUIRE

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16 DATED: February 11, 2020

SHOOK, HARDY & BACON

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By: /s/ Michael Healy

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Michael Healy  
Alexander Guney  
Attorneys for Defendant DEPUY  
SYNTHES SALES, INC.

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**ORDER OF DISMISSAL**

Pursuant to the stipulation of the parties under Federal Rule of Civil Procedure 41(a), IT IS ORDERED THAT THIS ACTION IS DISMISSED WITH PREJUDICE as to all claims, causes of action, and parties, with each party bearing that party's own costs and attorneys' fees, except as necessary to enforce the terms of the confidential settlement agreement entered into by and between Plaintiff and Defendant. The Clerk is directed to close the file.

IT IS SO ORDERED.

Dated: February 28, 2020

  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE