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7 **Appearance Pro Hac Vice** and
 8
 9 Terrence J. Cassidy SBN #099180
 10 John R. Whitefleet, SBN #213301
 11 PORTER, SCOTT, WEIBERG & DELEHANT, PC
 12 P.O. Box 255428 Sacramento, CA 95865
 13 Tel: (916) 929-1481 Fax: (916) 927-3706
 14 ATTORNEYS FOR: NGV Gaming, Ltd.

15
 16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18

19 NGV GAMING, LTD.	)	No. 3:04-CV-03955 SC
20 a Florida Limited Partnership,)	
21)	
22 Plaintiff,	)	Judge: Hon. Samuel Conti
23 v.)	
24)	
25 HARRAH'S OPERATING COMPANY, INC.,	)	JOINT STIPULATION
26 a Delaware Corporation,	)	OF DISMISSAL
27	)	WITH PREJUDICE
28 Defendant.	)	PURSUANT TO
29 _____ /	)	<u>FED.R.CIV.P. 41</u>

30
 31 The parties hereby stipulate to dismiss the above action with prejudice, each side to bear
 32 its own costs and fees, pursuant to the Settlement Agreement and Mutual Release executed by
 33 the parties. A proposed Order granting a dismissal with prejudice to defendant Harrah's
 34 Operating Company, Inc. as to all claims by plaintiff NGV Gaming, Ltd. is filed herewith.

35 <u>/s/Stanley E. Siegel, Jr.</u>	<u>/s/Stephen J. Calvacca</u>
36 Stanley E. Siegel, Jr., Esquire	Stephen J. Calvacca, Esquire
37 Minnesota Bar No. 199552	Massachusetts Bar No. 656143
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Joint Stipulation of Dismissal with Prejudice Pursuant to Fed.R.Civ.P. 41 and proposed Order were filed electronically with the Clerk of the Court through ECF and that accordingly ECF will send an e-notice of the electronic filing to counsel of record:

on this 15th day of December, 2009.

/s/ Stephen J. Calvacca

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20 a Florida Limited Partnership,)	
21)	
22 Plaintiff,)	Judge: Hon. Samuel Conti
23 v.)	
24)	
25 HARRAH'S OPERATING COMPANY, INC.,	)	ORDER
26 a Delaware Corporation,	)	OF DISMISSAL
27	)	WITH PREJUDICE
28 Defendant.	)	PURSUANT TO
29 _____ /	)	<u>FED.R.CIV.P. 41</u>

30
31 The Court, having reviewed the Joint Stipulation of Dismissal With Prejudice Pursuant to
32 Fed.R.Civ.P. 41, HEREBY ORDERS SAID MOTION IS GRANTED and this action is hereby
33 dismissed with prejudice, each party to bear its own costs.

34
35 Dated: 12/15/09

36 Samuel Conti District Judge
37

