

1 stipulate to the dismissal of this action **with prejudice** with each side bearing its own attorneys'
2 fees and costs.

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5 DATED: September 1, 2009

ROBINSON, CALCAGNIE & ROBINSON

6 By: Mark P. Robinson, Jr.
7 MARK P. ROBINSON, JR.
8 Attorneys for Plaintiff Joseph Rife

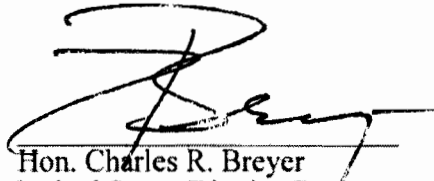
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10 DATED: Oct. 22, 2009

DLA PIPER LLP (US)

11 By: /s/
12 Matt Holian
13 Attorneys for Defendants
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15 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**
16 **IT IS SO ORDERED.**

17 Dated: OCT 28 2009

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19 Hon. Charles R. Breyer
20 United States District Court
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