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6 Attorneys for Plaintiffs

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8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11 GIL CROSTHWAITE, et al., in their capacities
 as Trustees of the OPERATING ENGINEERS
 HEALTH AND WELFARE TRUST FUND
 12 FOR NORTHERN CALIFORNIA, et al.,

Case No.: C07-2195 SC

**STIPULATION OF VOLUNTARY
 DISMISSAL**

13 Plaintiffs,
 14 v.

15 MARTIN GENERAL ENGINEERING, INC.,
 a California Corporation, and MARTIN
 16 TRANQUILINO,

17 Defendants.

18 PLEASE TAKE NOTICE that pursuant to F.R.C.P., Rule 41(a)(1)(ii), Plaintiffs Operating
 19 Engineers Health and Welfare Trust Fund for Northern California, et al., and Defendants Martin
 20 General Engineering, Inc. and Martin Tranquilino stipulate to the voluntarily dismissal, with
 21 prejudice, of Defendants Martin General Engineering, Inc. and Martin Tranquilino in this action.
 22 Defendants have paid all amounts claimed by plaintiffs, and plaintiffs have not previously filed or
 23 dismissed any similar action against defendant.
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25 Dated: February 3, 2009

SALTZMAN & JOHNSON
 LAW CORPORATION

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By: _____/S/_____
 Michele R. Stafford
 Attorneys for Plaintiffs

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Dated: February 5, 2009

KOELLER, NEBEKER,
CARLSON & HALUCK

By: _____/S/_____
Bill Ocken
Attorneys for Defendants

IT IS SO ORDERED.

Dated: 2/10/09

THE HONORABLE JUDGE SAMUEL CONTI
SENIOR UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
IT IS SO ORDERED
Samuel Conti
Judge Samuel Conti

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**NOTICE OF VOLUNTARY DISMISSAL
Case No. C07-2195 SC (BZ)**