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4 Plaintiff, pro per

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9 Attorneys for Defendant FEDERAL EXPRESS  
 10 CORPORATION dba FEDEX EXPRESS  
 erroneously sued as "FEDERAL EXPRESS" and  
 11 "FEDEX EXPRESS"

12  
 13 **UNITED STATES DISTRICT COURT**  
 14 **NORTHERN DISTRICT OF CALIFORNIA**

15  
 16 BRIAN PATRICK TUCKER,

17 Plaintiff,

18 vs.

19 FEDERAL EXPRESS; FEDEX  
 EXPRESS, and DOES 1-100,  
 20 Inclusive,

21 Defendants.

Case No.: C 07-04480 MHP

Honorable Marilyn Hall Patel, Judge

**[PROPOSED] ORDER PURSUANT TO  
 THE PARTIES' STIPULATED ENTRY  
 OF DISMISSAL WITH PREJUDICE**

**[Joint Stipulation Filed Concurrently  
 Herewith]**

1 The parties, Brian Patrick Tucker ("Plaintiff") in pro per and Defendant Federal  
2 Express Corporation dba FedEx Express ("Defendant"), by and through counsel, and  
3 pursuant to Rule 41(A)(1)(ii), filed a Stipulated Entry of Dismissal With Prejudice of  
4 Plaintiff's above-styled action, with each party to bear its own costs and fees.

5 Plaintiff's above-styled action, styled Brian Patrick Tucker v. Federal Express,  
6 Case No. C 07-04480 MHP, (originally filed as Case No. HG07311338 in the  
7 Superior Court of California for the County of Alameda) is accordingly dismissed  
8 with prejudice. Each party shall be responsible for their own costs and attorneys fees.  
9

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11 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

12  
13 DATED: December 5, 2008



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