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20 **UNITED STATES DISTRICT COURT**
 21 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 22 **SAN FRANCISCO DIVISION**

E-FILING

23 SANDRA FRANCO,
 24 Plaintiff,

25 vs.

26 H & R BLOCK LONG TERM DISABILITY
 27 INSURANCE PLAN,
 28 Defendant.

) CASE NO. CV 08-00150 SI

) **STIPULATION OF**
) **DISMISSAL WITH PREJUDICE**

IT IS HEREBY STIPULATED by and between the parties to this action, H & R BLOCK LONG TERM DISABILITY INSURANCE PLAN and SANDRA FRANCO, through their designated counsel of record herein, that the above-captioned action be, and hereby is dismissed with prejudice pursuant to Federal Rules of Civil Procedure, Rule 41.

Each party shall bear its own costs and attorneys' fees in this action.

1 Pursuant to local rules, this document is being electronically filed through the Court's
2 ECF System. In this regard, counsel for defendant hereby attests that (1) the content of this
3 document is acceptable to all persons required to sign the document; (2) plaintiff's counsel has
4 concurred with the filing of this document; and (3) a record supporting this concurrence is
5 available for inspection or production if so ordered.

6 **SO STIPULATED.**

7 FRICKER & MELLEN & ASSOCIATES

8
9 DATED: March 5, 2009

By: /s/ JAMES G. MELLEN
JAMES G. MELLEN
Attorneys for Plaintiff
SANDRA FRANCO

12 RIMAC MARTIN, P.C

13
14 DATED: March 5, 2009

By: /s/ ANNA M. MARTIN
ANNA M. MARTIN
Attorneys for Defendant
H & R BLOCK LONG TERM DISABILITY
INSURANCE PLAN

18 **ORDER**

20 **SO ORDERED.**

21 

22 DATED: _____

23 UNITED STATES DISTRICT COURT JUDGE