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11 Attorneys for Defendant
12 WEST COAST METALS, INC.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NORTHERN CALIFORNIA RIVER WATCH,
a non-profit corporation,

Case No.: C08-01256 MMC

Plaintiff,
v.

**STIPULATION AND [PROPOSED]
ORDER FOR DISMISSAL WITH
PREJUDICE AS TO DEFENDANT
WEST COAST METALS, INC.**

UNION PACIFIC RAILROAD COMPANY,
WEST COAST METALS, INC. and
DOES 1 through 10, Inclusive,

AND ORDER THEREON

Defendants

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Pursuant to Rule 41(a)(1) and 41(c) of the Federal Rules of Civil Procedure, plaintiff Northern California River Watch, a non-profit corporation, on behalf of itself and its members (“Plaintiff”), on the one hand, and Defendant West Coast Metals, Inc. on the other, hereby stipulate that all claims by Plaintiff against West Coast Metals, Inc. shall be dismissed WITH PREJUDICE, each party to bear its own attorney’s fees, expenses, and costs.

Dated: December 9, 2009

/s/ Jack Silver

Jack Silver
Attorney for Plaintiff
Northern California River Watch

C08-01256 MMC
STIPULATION AND [PROPOSED] ORDER FOR DISMISSAL WITH PREJUDICE
AS TO DEFENDANT WEST COAST METALS, INC.

1 Dated: December 9, 2009

GORDON & REES LLP

2 /s/ Mordecai D. Boone
3 Mordecai D. Boone
4 Attorney for Defendant
5 West Coast Metals, Inc.

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7 ORDER

8 It is so ORDERED that the Complaint is hereby dismissed WITH PREJUDICE, each party to
9 bear its own attorney's fees, expenses, and costs.

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11 DATED: December 22, 2009

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13 ~~Marlene A. Cheaney~~
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C08-01256 MMC

STIPULATION AND [PROPOSED] ORDER FOR DISMISSAL WITH PREJUDICE
AS TO DEFENDANT WEST COAST METALS, INC.