

1 LUANNE SACKS (CA Bar No. 120811)
 luanne.sacks@dlapiper.com
 2 CARTER W. OTT (CA Bar No. 221660)
 carter.ott@dlapiper.com
 3 DLA PIPER LLP (US)
 555 Mission Street, Suite 2400
 4 San Francisco, CA 94105
 Tel: 415.836.2500
 5 Fax: 415.836.2501

6 STELLMAN KEEHNEL (Admitted *Pro Hac Vice*)
 Washington Bar No. 9309
 7 stellman.keehnel@dlapiper.com
 8 KIT W. ROTH (Admitted *Pro Hac Vice*)
 Washington Bar No. 33059
 kit.roth@dlapiper.com
 9 R. OMAR RIOJAS (Admitted *Pro Hac Vice*)
 Washington Bar No. 35400
 10 omar.rijos@dlapiper.com
 11 PATRICK T. JORDAN (Admitted *Pro Hac Vice*)
 Washington Bar No. 40292
 patrick.jordan@dlapiper.com
 12 DLA PIPER LLP (US)
 701 Fifth Avenue, Suite 7000
 13 Seattle, WA 98104-7044
 Tel: 206.839.4800
 14 Fax: 206.839.4801

15 Attorneys for Defendant
 EXPEDITORS INTERNATIONAL OF
 16 WASHINGTON, INC.

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19 SAN FRANCISCO DIVISION

20 RICHARD KINGERY, an individual, on
 behalf of himself, and on behalf of all
 21 persons similarly situated,

22 Plaintiff(s),

23 v.

24 EXPEDITORS INTERNATIONAL OF
 WASHINGTON, INC., a Washington
 25 corporation conducting business in the
 State of California,

26 Defendant(s).
 27

CASE NO. 3:08-cv-02510-SC

**STIPULATION FOR VOLUNTARY
 DISMISSAL PURSUANT TO FED. R. CIV.
 P. 41**

1 THE PARTIES HERETO, through their respective counsel of record, hereby stipulate as
2 follows pursuant to Federal Rule of Civil Procedure 41:

3 1. The First Amended Complaint For Damages And Relief is hereby dismissed
4 pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), with prejudice.

5 IT IS SO STIPULATED.

6 Dated: April 20, 2009

8 MORRIS AND ASSOCIATES

DLA PIPER LLP (US)

9
10 By /s/ Stephen B. Morris
STEPHEN B. MORRIS
11 Attorneys for Plaintiff
RICHARD KINGERY

By /s/ Carter W. Ott
LUANNE SACKS
CARTER W. OTT
12 Attorneys for Defendant
EXPEDITORS INTERNATIONAL OF
WASHINGTON, INC.

13
14
15 **ORDER**

16 IT IS SO ORDERED.

17 Dated: 4/20/09



1 LUANNE SACKS (CA Bar No. 120811)
luanne.sacks@dlapiper.com
2 CARTER W. OTT (CA Bar No. 221660)
carter.ott@dlapiper.com
3 DLA PIPER LLP (US)
555 Mission Street, Suite 2400
4 San Francisco, CA 94105
Tel: 415.836.2500
5 Fax: 415.836.2501

6 STELLMAN KEEHNEL (Admitted *Pro Hac Vice*)
Washington Bar No. 9309
7 stellman.keehnel@dlapiper.com
KIT W. ROTH (Admitted *Pro Hac Vice*)
8 Washington Bar No. 33059
kit.roth@dlapiper.com
9 R. OMAR RIOJAS (Admitted *Pro Hac Vice*)
Washington Bar No. 35400
10 omar.rijos@dlapiper.com
PATRICK T. JORDAN (Admitted *Pro Hac Vice*)
11 Washington Bar No. 40292
patrick.jordan@dlapiper.com
12 DLA PIPER LLP (US)
701 Fifth Avenue, Suite 7000
13 Seattle, WA 98104-7044
Tel: 206.839.4800
14 Fax: 206.839.4801

15 Attorneys for Defendant
EXPEDITORS INTERNATIONAL OF
16 WASHINGTON, INC.

17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 SAN FRANCISCO DIVISION

20 RICHARD KINGERY, an individual, on
behalf of himself, and on behalf of all
21 persons similarly situated,

22 Plaintiff(s),

23 v.

24 EXPEDITORS INTERNATIONAL OF
WASHINGTON, INC., a Washington
25 corporation conducting business in the
State of California, and Does 1 to 10,

26 Defendant(s).
27

CASE NO. 3:08-cv-02510-SC

**DEFENDANT'S NOTICE OF FILING
PURSUANT TO GENERAL ORDER 45, X.B.**

