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5 Attorneys for Plaintiff
 6 Meridian Investment Management, Inc.

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 MERIDIAN INVESTMENT
 MANAGEMENT, INC., a Delaware
 12 Corporation

13 Plaintiff,

14 vs.

15 MERIDIAN REAL ESTATE INVESTMENT
 COMPANY II, a Cayman Islands company;
 and DOES 1 through 10, inclusive,

16 Defendants,

Case No. C 08-02542 MMC (EDL)

**STIPULATION FOR DISMISSAL
 OF ACTION WITH MUTUAL WAIVER
 OF FEES AND COSTS; ~~PROPOSED~~
 ORDER**

18 IT IS HEREBY STIPULATED by and between the parties to this action through their
 19 designated counsel that the above-captioned action be and hereby is dismissed with prejudice
 20 pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. Each party waives any
 21 recovery of fees or costs. WHEREFORE, the parties respectfully request that this Court sign
 22 and enter the following Stipulated Order of Dismissal with Prejudice.

23 Dated: June 13, 2009

24 **SEILER EPSTEIN ZIEGLER & APPLGATE LLP JONES DAY**

26 By: /s/
 Douglas A. Applegate

26 By: /s/ 
 David C. Kiernan

27 Attorneys for Plaintiff
 28 Meridian Investment Management, Inc.

27 Attorneys for Defendant
 28 Meridian Real Estate Investment Company II

SEILER EPSTEIN ZIEGLER & APPLGATE LLP
 Attorneys at Law

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STIPULATED ORDER OF DISMISSAL WITH PREJUDICE

Pursuant to Rule 41 of the Federal Rules of Civil Procedure, and with the consent of all parties who have appeared in the action, as evidenced by the filing of the foregoing Stipulation for Dismissal of Action With Mutual Wavier of Fees and Costs, IT IS HEREBY ORDERED that the above-captioned action is dismissed with prejudice, with each party waiving any recovery of fees or costs.

Dated: June 16, 2009

By: 
The Honorable Maxine M. Chesney
United States District Judge
Northern District of California

SEILER EPSTEIN ZIEGLER & APPEGATE LLP
Attorneys at Law