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UNITED STATE DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MOLLY STEARNS, RUTH ROSE, DENNIS FULLER, BONNIE FULLER, DAN SCHLESINGER, KAREN WILLIAMS, AND BRYAN WILLIAMS

Case No. C08 02746 SC

Plaintiffs,

STIPULATION OF DISMISSAL OF DEFENDANTS SELECT COMFORT RETAIL CORPORATION, BED BATH & BEYOND, INC., AND THE SLEEP TRAIN
Fed. R. Civ. P. § 41(a)(1)(A).

vs.

SELECT COMFORT RETAIL CORPORATION, a Minnesota Corporation; BED BATH & BEYOND, INC., a New York Corporation; THE SLEEP TRAIN, INC., a California Corporation, and DOES 1 through 50,000, inclusive,

Complaint Filed: April 25, 2008

Defendants.

IT IS HEREBY STIPULATED by and between plaintiffs MOLLY STEARNS, RUTH ROSE, DENNIS FULLER, BONNIE FULLER, DAN SCHLESINGER, KAREN WILLIAMS and BRYAN WILLIAMS ("Plaintiffs") and defendants SELECT COMFORT RETAIL CORPORATION, BED BATH AND BEYOND, INC., and THE SLEEP TRAIN, INC. ("Defendants") that having resolved the action between the parties, the matter should be dismissed with prejudice. The parties obtained agreement after Mediation before Mr. Brad Bening of Willoughby Stuart and Bening. The parties thereby agree the action be and hereby is dismissed against Defendants, with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A), including any and all claims asserted by Plaintiffs against Defendants.

IT IS SO STIPULATED.

Dated: August 22 2012

BUSTAMANTE, O'HARA & GAGLIASSO

By _____/S/_____
Robert M. Gagliasso

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Andrew V. Stearns
Steven M. Berki
Attorneys for Plaintiffs
MOLLY STEARNS, RUTH ROSE, DENNIS FULLER,
BONNIE FULLER, DAN SCHLESINGER, KAREN
WILLIAMS, AND BRIAN WILLIAMS

Dated: August 22, 2012

OPPENHEIMER WOLFF & DONNELLY LLP

By _____ /S/
Andrew S. Hansen
Heidi A.O. Fisher
Meghan M. Anzelc
Attorneys for Defendants
SELECT COMFORT RETAIL CORPORATION, BED BATH
& BEYOND INC., and THE SLEEP TRAIN, INC.

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ORDER

The case of Stearns v. Select Comfort is hereby dismissed pursuant to the Stipulation for Dismissal filed by the parties and the Case Management Conference currently set on the Court's calendar is hereby vacated.

IT IS SO ORDERED.

Dated: August 24, 2012

