

1 Dean A. Hanley, Esq. (State Bar No. 169507)
 Deborah R. Rosenthal, Esq. (State Bar No. 184241)
 2 PAUL AND HANLEY LLP
 1608 Fourth Street, Suite 300
 3 Berkeley, California 94710
 Telephone: (510) 559-9980
 4 Facsimile: (510) 559-9970
 Email: dhanley@paulandhanley.com
 5 Email: drosenthal@paulandhanley.com

6 Attorneys for Plaintiffs

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

11	JERI REDMAN, individually and as)	Case No.: 08-cv-03013-JSW
	successor-in-interest to RONALD REDMAN,)	
12	deceased; and JERI REDMAN, AMY)	STIPULATION REQUESTING ORDER
	REDMAN, DAVID C. REDMAN, MARK)	DISMISSING DEFENDANT VIAD CORP.
13	REDMAN and PAUL REDMAN, as legal)	WITH PREJUDICE AND REMANDING
	heirs of RONALD REDMAN, deceased,)	CASE IN ITS ENTIRETY TO STATE
14)	COURT; PROPOSED ORDER
	Plaintiffs,)	
15)	<hr/>
	vs.)	[ND CA Local Rules 7-1 & 7-12]
16)	
17	A.W. CHESTERTON, et al.,)	
)	
18	DEFENDANTS.)	

19 Plaintiffs and defendant Viad Corp. submit this stipulation jointly requesting that the
20 Court issue an order dismissing with prejudice plaintiffs' action against Viad and remanding this
21 case in its entirety to state court.

22 IT IS HEREBY STIPULATED by and between plaintiffs and Viad, through their
23 respective attorneys of record, as follows:

24 Plaintiffs initiated this action on April 16, 2008, in the Superior Court of the State of
25 California, County of San Francisco. Following service of summons on its agent for service of
26 process, Viad timely removed this case to the United States District Court for the Northern
27 District of California, asserting federal officer jurisdiction based on the government contractor

1 defense. No other defendant filed and served a notice of removal in this case, and no other
2 defendant joined in Viad's notice of removal.

3 Plaintiffs and Viad hereby jointly request that the Court dismiss with prejudice plaintiffs'
4 action against Viad and remand this case in its entirety to state court. With the dismissal of
5 plaintiffs' action against Viad, there will remain no party in this action that has invoked the
6 jurisdiction of the federal courts in this case.


7 Plaintiffs' willingness to stipulate to the dismissal with prejudice of this action against
8 Viad is conditioned upon the remand of this case in its entirety to the Superior Court of the State
9 of California, County of San Francisco; and Viad's willingness to stipulate to the remand of this
10 case to state court is conditioned upon the dismissal with prejudice of plaintiffs' action against it.

11 If the Court orders the dismissal with prejudice of plaintiffs' action against Viad and the
12 remand of this case in its entirety to state court, plaintiffs and Viad waive all claims for costs and
13 expenses in relation to this action as against each other.

14 IT IS SO STIPULATED.

15 DATED: January 20, 2009

16 PAUL AND HANLEY, LLP

17 
18 Deborah R. Rosenthal, attorney for plaintiffs

19 DATED: January 20th, 2009

20 CHARTER DAVIS, LLP

21 
22 Maria S. Roserfeld, attorney for Viad Corp.

23 **ORDER**

24 PURSUANT TO STIPULATION, IT IS SO ORDERED that defendant Viad Corp. is
25 hereby dismissed with prejudice from the instant action. It is further ordered that the above-
26 captioned case, *Jeri Redman et. al. v. A. W. Chesterton Co. et. al.*, U.S. District Court Case No.
27 08-cv-03013-JSW, is hereby remanded to the Superior Court of the State of California in and for
28 the County of San Francisco. Each party shall bear its own costs and expenses in relation to this
action as against each other.

DATED: January 30, 2009


HONORABLE JEFFREY S. WHITE