

PILLSBURY & LEVINSON, LLP
The Transamerica Pyramid
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11 Attorneys for Plaintiff
12 KEN LEWIS

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

15 KEN LEWIS,)
16)
17 Plaintiff,)
18)
19 v.)
20)
21 CALIFORNIA CORRECTIONAL)
22 PEACE OFFICERS ASSOCIATION;)
23 CCPOA BENEFIT TRUST FUND;)
24 THE CCPOAS BENEFIT TRUST)
25 FUND HEALTH AND WELFARE)
26 PLAN and DOES 1 through 20,)
27 inclusive,)
28 Defendants.)

Case No. C 08-3228 VRW
**STIPULATION AND ~~PROPOSED~~
ORDER DISMISSING DEFENDANT
CALIFORNIA CORRECTIONAL PEACE
OFFICERS ASSOCIATION**

IT IS HEREBY STIPULATED by and between Plaintiff KEN LEWIS and Defendant The CALIFORNIA CORRECTIONAL PEACE OFFICER ASSOCIATION (“CCPOA”), through their respective counsel, that;

- 1. Plaintiff dismisses with prejudice Defendant CCPOA from this action;
- 2. In exchange for Plaintiff’s dismissal of CCPOA as a party in this action, Defendant CCPOA withdraws its Motion to Dismiss (Doc. #109) set for hearing before this Court on February 11, 2010. CCPOA also waives all rights to seek any recovery against

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1 Plaintiff for any attorney's fees and costs incurred by CCPOA in this action, including but not
2 limited to fees and costs incurred relating to CCPOA's Motion to Dismiss.

3 Dated: December 22, 2009 PILLSBURY & LEVINSON, LLP

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5 By: /s/ Brian H. Kim
6 Brian H. Kim
7 Attorneys for Plaintiff
8 KEN LEWIS

8 Dated: December 22, 2009 _____ CARROLL, BURDICK & McDONOUGH LLP

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10 By: /s/ Jonathan Yank
11 Jonathan Yank
12 Attorneys for Defendant
13 CALIFORNIA CORRECTIONAL
14 PEACE OFFICERS' ASSOCIATION

14 **ORDER**

15 Per the parties' stipulation, **IT IS SO ORDERED.**

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17 DATED: 12/28/2009

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