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11 Attorney for Defendant,  
 BIMBO BAKERIES USA, INC.

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

14 TINA BUSTILLOS,

Case No. C 08-03553 SI

15 Plaintiff,

STIPULATION AND  
 ORDER OF DISMISSAL  
 WITH PREJUDICE

16 vs.

17 BIMBO BAKERIES USA,  
 18 INC., and DOES 1 to 20,

19 Defendants.

Complaint Filed: 6/6/08  
 Trial Date: 10/13/09

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 21 Plaintiff and defendant, pursuant to an agreed resolution of this action, file this  
 22 stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

23 1. Plaintiff is Tina Bustillos. Defendant is Bimbo Bakeries, USA, Inc.

24 2. On June 6, 2008, plaintiff filed this action.

25 3. Plaintiff moves to dismiss the lawsuit.

26 4. Defendant, which has served an answer and a motion for summary judgment, agrees  
 27 to the dismissal.

28 5. This case is not a class action.

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6. A receiver has not been appointed in this case.

7. Except as otherwise agreed by and between the parties, each party is to bear her or its own costs and attorneys' fees with regard to this action.

8. The dismissal is with prejudice to refileing.

Dated: September 27, 2009

BINGHAM McCUTCHEN, LLP



WENDY M. LAZERSON,  
Attorney for Defendant, BIMBO  
BAKERIES USA, INC.

LAW OFFICES OF  
JEFFERY D. TROWBRIDGE

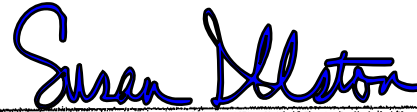


JEFFERY D. TROWBRIDGE,  
Attorney for Plaintiff,  
TINA BUSTILLOS

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS ORDERED that the above-captioned action is dismissed with prejudice.

Dated: \_\_\_\_\_



THE HONORABLE SUSAN ILLSTON