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8 and Cross-Claimant NAV-RENO-GS, LLC

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 PAUL BENSI, BART FLORENCE, JERRY
12 KALMAR and LYLE SETTER, in their
13 capacities as trustees of the PENSION FUND
14 OF STATIONARY ENGINEERS LOCAL 39,

15 Plaintiff,

16 v.

17 FHR CORPORATION, a Nevada Corporation,
18 dba RENO HILTON,

19 Defendant/Third Party Plaintiff,

20 v.

21 GRAND SIERRA RESORT CORP., a Nevada
22 Corporation, GRAND SIERRA OPERATING
23 CORP., a Nevada Corporation, and NAV-
24 RENO-GS, LLC, a Nevada Limited Liability
25 Company,

26 Third Party Defendants.

27 NAV-RENO-GS, LLC, a Nevada Limited
28 Liability Company,

Cross-Claimant,

v.

GRAND SIERRA RESORT CORP., a Nevada
Corporation; THOMAS SCHRADE, an
individual; DOES 1-10, individuals; and ROE
CORPORATIONS 1-10,

Cross-Defendants.

Case No.: CV-08-3574-~~EMC~~ VRW

**STIPULATION AND ORDER FOR
DISMISSAL WITHOUT PREJUDICE
NAV-RENO-GS, LLC'S CROSS-
COMPLAINT AGAINST
THOMAS SCHRADE**

STIPULATION AND ORDER FOR DISMISSAL WITHOUT PREJUDICE

NAV-RENO-GS, LLC'S CROSS-COMPLAINT AGAINST THOMAS SCHRADE

IT IS HEREBY STIPULATED by and between the parties to this Stipulation that all claims for relief asserted in this action by Cross-Claimant NAV-RENO-GS, LLC against Cross-Defendant Thomas Schrade are hereby dismissed without prejudice, with each party to bear their own fees and costs, including attorneys' fees.

DATED this 24th day of February, 2009.

DATED this 25th day of February, 2009.



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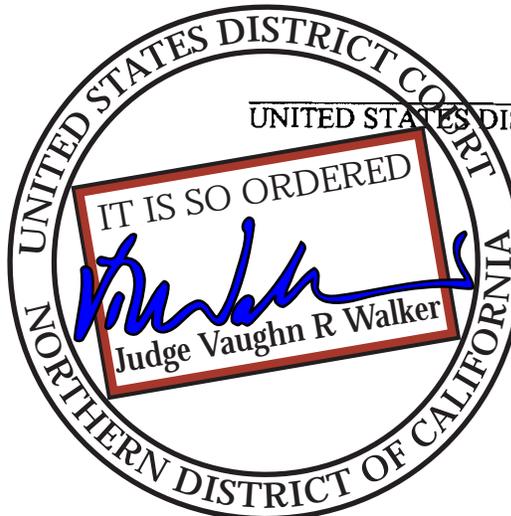
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*Attorneys for Cross-Defendant Thomas
Schrade*

IT IS SO ORDERED.

Date: 3/4/2009

UNITED STATES DISTRICT JUDGE



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PROOF OF SERVICE

STATE OF CALIFORNIA
Bensi v. FHR and related cross-claims
(Currently pending before the USDC Northern District of California)

I am employed in the County of Washoe, State of Nevada. I am over the age of 18 and not a party to the within action. My business address is 5441 Kietzke Lane, Second Floor, Reno, Nevada 89511. On February 26, 2009, I served the foregoing document described as: **STIPULATION AND ORDER FOR DISMISSAL WITHOUT PREJUDICE NAV-RENO-GS, LLC'S COMPLAINT AGAINST THOMAS SCHRADER**, via electronic service and/or U.S. Mail to the address(es) below:

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_____ By Facsimile: from (775) 786-6179 to (see above) pursuant to CCP § 1013a, I caused the machine to print a report of the transmission.

 X By Mail: I am familiar with the regular mail collection and processing practices of said business, the mail is deposited with the United States Postal Service that same day. I deposited such envelope in the mail at Reno, Nevada. The envelope was mailed with postage thereon fully paid.

_____ By FEDEX Overnight Mail: I am familiar with the firm's practice of collection and processing correspondence for FEDEX Overnight Mail. Under that practice, it would be deposited in the FEDEX box before the last pick-up time at Reno, Nevada, in the ordinary course of business.

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By ELECTRONIC SERVICE: I am familiar with the Court's rules and procedures for filing with the Court via CM/ECF.

By Messenger Service: I caused our Messenger Service, located at _____, to deliver said envelope to the addressee named above.

* (By Personal Service) I delivered such envelope by hand to the office(s) of the addressee.

 X

(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(Federal) I declare that I am employed in the office of a member of the Court at whose discretion that service was made.

Dated: February 26, 2009, at Reno, Nevada.



MARCIA FILIPAS