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 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

16 PAUL BENSI, BART FLORENCE, JERRY)
 17 KALMAR, and LYLE SETTER, in)
 their capacities as Trustees of the)
 18 STATIONARY ENGINEERS LOCAL 39)
 PENSION TRUST FUND and STATIONARY)
 19 ENGINEERS LOCAL 39 HEALTH AND)
 WELFARE FUND,)

20 Plaintiffs,)

21 v.)

22)
 23 SETON MEDICAL CENTER, a California)
 Corporation; DAUGHTERS OF CHARITY)
 24 HEALTH SYSTEM, a California Corporation,)

25 Defendants.)
 26)

Case No. C 08-4134 (MMC)

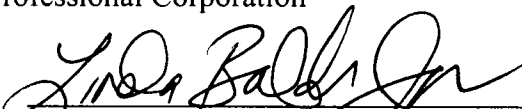
STIPULATION TO DISMISS WITH PREJUDICE AND ~~PROPOSED~~ ORDER

Judge: Honorable Maxine M. Chesney
 Ctrm: 7, 19th Floor

1 Plaintiffs Paul Bensi, Bart Florence, Jerry Kalmar, and Lyle Setter, in their capacities as
2 Trustees of the Stationary Engineers Local 39 Pension Trust Fund and Stationary Engineers Local
3 39 Health & Welfare Fund ("Plaintiffs"), and Defendants Seton Medical Center and Daughters Of
4 Charity Health System ("Defendants"), through their respective counsel, hereby stipulate that
5 pursuant to Settlement Agreement and Mutual Release, this action shall be dismissed, with
6 prejudice, with each party to bear his and its own costs, expenses, and attorneys' fees.
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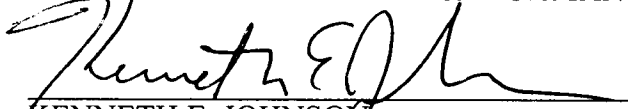
8 Dated: January 12, 2010

9 WEINBERG, ROGER & ROSENFELD
A Professional Corporation

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11 By: 
12 LINDA BALDWIN JONES
Attorneys for Plaintiffs

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14 Dated: Feb. 2
15 Dated: ~~January~~ 2, 2010

16 THEODORA ORINGHER MILLER & RICHMAN PC

17 By: 
18 KENNETH E. JOHNSON
Attorneys for Defendants

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20
21 **~~PROPOSED~~ ORDER**

22 PURSUANT TO STIPULATION, IT IS SO ORDERED that this action is dismissed with
23 prejudice, each party to bear his and its own costs, expenses, and attorneys' fees.

24
25 Dated: February 4, 2010

26 
THE HONORABLE MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE