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10 Counsel for Defendant
R.R. STREET & CO. INC.

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

16 KFD ENTERPRISES, INC., a California)
corporation dba Norman’s Dry Cleaner,)
17)
Plaintiff,)
18)
v.)
19 CITY OF EUREKA, et al.,)
20)
Defendants.)
21)
22 AND ALL RELATED CROSS-CLAIMS)
AND THIRD-PARTY CLAIMS.)
23 _____)

No. 3:08-cv-04571-MMC
**ORDER GRANTING
STIPULATED REQUEST FOR
VOLUNTARY DISMISSAL WITH
PREJUDICE OF PLAINTIFF KFD
ENTERPRISES, INC.’S ENTIRE
ACTION AGAINST DEFENDANT
R.R. STREET & CO. INC.
[Fed. R. Civ. P. 41(a)(2); Civil L.R. 7-12]**
Courtroom: 7 (19th Floor)
Judge: Hon. Maxine M. Chesney

24 Pursuant to Federal Rule of Civil Procedure 41(a)(2) and Civil L.R. 7-12, Plaintiff KFD
25 Enterprises, Inc. (“KFD”) and Defendant R.R. Street & Co. Inc. (“Street”) hereby stipulate and
26 respectfully request judicial action as follows:

27 WHEREAS, KFD has asserted and prosecuted this action against Street, among other
28 parties;

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1 WHEREAS, pursuant to Federal Rule of Civil Procedure 41(a)(2), KFD now desires to
2 dismiss with prejudice its entire action, and all claims encompassed therein, against Street, while
3 continuing its action against all other parties, *cf. Hells Canyon Preservation Council v. United*
4 *States Forest Service*, 403 F.3d 683, 687 (9th Cir. 2005) (observing that Rule 41(a) “allow[s] the
5 dismissal of *all* claims against *one* defendant, so that a defendant may be dismissed from the en-
6 tire action”); and

7 WHEREAS, KFD and Street agree that each party will bear its own costs and attorneys’
8 fees with respect to KFD’s action against Street;

9 THEREFORE, the parties hereto stipulate and respectfully request that this Court enter an
10 order dismissing with prejudice KFD’s entire action, and all claims encompassed therein, against
11 Street only, each party to bear its own costs and attorneys’ fees.

12 Dated: October 18, 2011.

13 Respectfully submitted,

14 /s/ Eric Grant

15 Eric Grant
16 John B. Thomas
17 Jay N. Gross
18 Hicks Thomas LLP

19 Counsel for Defendant
20 R.R. STREET & CO. INC.

21 (The filer hereby attests that concurrence in
22 the filing of this document has been obtained
23 from the signatory below.)

24 GREBEN & ASSOCIATES

25 /s/ Jeff Coyner

26 Jan A. Greben
27 Jeff Coyner
28 Danielle De Smeth

Attorneys for Plaintiff KFD ENTERPRISES,
INC., a California corporation dba Norman’s
Dry Cleaner

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 20, 2011.


Hon. MAXINE M. CHESNEY
United States District Judge

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