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

16 KFD ENTERPRISES, INC., a California) No. 3:08-cv-04571-MMC
 corporation dba Norman’s Dry Cleaner,)
 17)
 Plaintiff,) **ORDER GRANTING**
) **STIPULATED REQUEST FOR**
 18) **VOLUNTARY DISMISSAL WITH**
 v.) **PREJUDICE OF PLAINTIFF KFD**
) **ENTERPRISES, INC.’S ENTIRE**
 19 CITY OF EUREKA, et al.,) **ACTION AGAINST DEFENDANT**
) **FIRBIMATIC SpA**
 20 Defendants.) **[Fed. R. Civ. P. 41(a)(2); Civil L.R. 7-12]**
 21)
)
 22 AND ALL RELATED CROSS-CLAIMS) Courtroom: 7 (19th Floor)
 AND THIRD-PARTY CLAIMS.) Judge: Hon. Maxine M. Chesney
 23 _____)

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 Firbimatic SpA (“Firbimatic”) hereby stipulate and re-
 26 spectfully request judicial action as follows:

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

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1 WHEREAS, pursuant to Federal Rule of Civil Procedure 41(a)(2), KFD now desires to dis-
2 miss with prejudice its entire action, and all claims encompassed therein, against Firbimatic, 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 Firbimatic agree that each party will bear its own costs and attor-
8 neys’ fees with respect to KFD’s action against Firbimatic;

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 Firbimatic only, each party to bear its own costs and attorneys’ fees.

12 Dated: October 17, 2011.

13 Respectfully submitted,

14 /s/ Eric Grant
15 Eric Grant
16 John B. Thomas
17 Hicks Thomas LLP

18 Counsel for Defendant
19 FIRBIMATIC SpA

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

23 GREBEN & ASSOCIATES

24 /s/ Jeff Coyner
25 Jan A. Greben
26 Jeff Coyner
27 Danielle De Smeth


28 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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