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13 Attorneys for Plaintiffs

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN FRANCISCO

17 PAUL VELASQUEZ, FAVIOLA
 18 ALVAREZ, MARCELO ALTAMIRANO,
 JACKEY WILSON II, CARLOS
 19 MARTINEZ and DIONICIO MARTINEZ
 on behalf of themselves and all others
 20 similarly situated,

21 Plaintiffs,

22 v.

23 HSBC FINANCE CORPORATION;
 HOUSEHOLD FINANCE
 CORPORATION; BENEFICIAL
 24 COMPANY LLC,

25 Defendants.

Case No.: C 08-04592-SC [MEJ]

**JOINT STIPULATION & ~~[PROPOSED]~~
 ORDER TO DISMISS CASE WITH
 PREJUDICE**

Judge: Senior Judge Samuel Conti
 Courtroom: 1, 17th Floor
 Complaint Filed: October 2, 2008
 Trial Date: No date set

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 JOINT STIP. AND [PROPOSED] ORDER
 TO DISMISS WITH PREJUDICE

Case No. 3:08-CV-04592-SC [MEJ]

1 Plaintiffs Marcelo Altamirano, et al. and Defendants HSBC Finance Corporation, et
2 al. (“Defendants”), by and through their respective counsel of record (collectively “the Parties”),
3 hereby stipulate and agree as follows:

4 **STIPULATION**

5 WHEREAS, Plaintiffs Paul Velasquez, Faviola Alvarez, Carlos Martinez and
6 Dionicio Martinez were previously dismissed as plaintiffs in this case;

7 WHEREAS, Plaintiffs Marcelo Altamirano and Jackey Wilson II are the only
8 individuals who remain as named plaintiffs in the case (collectively referred to as “Plaintiffs”);

9 WHEREAS, Plaintiffs previously sought, but did not obtain conditional certification
10 of a nationwide class of employees in this case;

11 WHEREAS, Plaintiffs have decided to cease pursuit, either on a class or individual
12 basis, of their claims against Defendants; and

13 WHEREAS, the Parties have agreed that Plaintiffs’ claims should be dismissed with
14 prejudice against Defendants;

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1 THEREFORE, the Parties hereby stipulate, and respectfully request the Court to
2 order, pursuant to Rule 41 of the Federal Rules of Civil Procedure, that Plaintiffs' Amended
3 Complaint be dismissed in its entirety with prejudice and that a dismissal with prejudice of this
4 matter be entered as to all Defendants.

5 IT IS SO STIPULATED.

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7 Dated: May 26, 2011

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9 /s/ Peter A. Muhic

10 PETER A. MUHIC
11 KESSLER TOPAZ MELTZER &
12 CHECK,LLP¹
13 Attorneys for Plaintiffs

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15 Dated: May 26, 2011

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17 /s/ Michelle R. Barrett

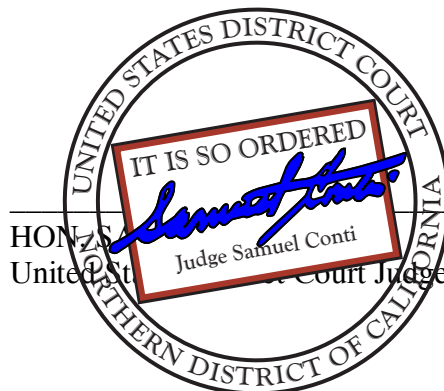
18 MICHELLE R. BARRETT
19 LITTLER MENDELSON, P.C.
20 Attorney for Defendants

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22 **[PROPOSED] ORDER**

23 Pursuant to stipulation and Federal Rule of Civil Procedure 41, it is hereby ordered
24 that Plaintiffs' Amended Complaint be dismissed with prejudice in its entirety, that a dismissal with
25 prejudice be entered as to all Defendants, and except as provided by agreement, each side to bear its
26 own costs and fees.

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28 IT IS SO ORDERED.

Dated: 5/26/11



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¹ Kessler Topaz Meltzer & Check, LLP was previously known as Barroway Topaz Kessler Meltzer & Check, LLP.

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ATTESTATION OF CONCURRENCE

Pursuant to the Court’s General Order 45, Section 10(B), I hereby attest that concurrence in the filing of this document has been obtained from each of the other signatories.

I declare under penalty of perjury under the laws of the United States of America that the foregoing declaration is true and correct to the best of my personal knowledge. Executed this 26th day of May 2011, in San Francisco, California.

/s/ Michelle R. Barrett
MICHELLE R. BARRETT

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