

1 CHARLES S. CUSTER (SBN: 124270)
 JON C. YONEMITSU (SBN: 199026)
 2 KEASARA M. WILLIAMS (SBN: 260469)
 GORDON & REES LLP
 3 275 Battery Street, Suite 2000
 San Francisco, CA 94111
 4 Telephone: (415) 986-5900
 Facsimile: (415) 986-8054
 5 E-mail: ccuster@gordonrees.com
 E-mail: jyonemitsu@gordonrees.com
 6 E-mail: kwilliams@gordonrees.com

7 Attorneys for Defendant
 UNITED RENTALS NORTHWEST, INC.
 8 (erroneously sued herein as United Rentals, Inc.)

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DISTRICT

Gordon & Rees LLP
 275 Battery Street, Suite 2000
 San Francisco, CA 94111

13 RICHARD ENGER

14 Plaintiff,

15 vs.

16 UNITED RENTALS, INC. JLG CORP., JLG
 INDUSTRIES, INC., OSHKOSH CORP.,
 17 OSHKOSH INDUSTRIES, INC., and DOES 1
 through 10, INCLUSIVE

18 Defendant.

) CASE NO. C 08-04882 BZ

)
) **STIPULATION OF DISMISSAL WITH**
) **PREJUDICE AND (PROPOSED)**
) **ORDER**

21 Plaintiff RICHARD ENGER and Defendants UNITED RENTALS NORTHWEST, INC.,

22 by and through their respective attorneys of record, hereby stipulate as follows:

23 1. The Parties have entered into a Confidential Release and Settlement Agreement in
 24 this matter whereby they have resolved all claims and agreed to the dismissal of the above-
 25 captioned action with prejudice, each party to bear their own attorney fees and costs.

26 ///

27 ///

28

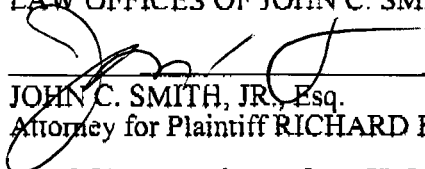
Gordon & Rees LLP
275 Battery Street, Suite 2000
San Francisco, CA 94111

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly, the Parties jointly request the Court to dismiss this action with prejudice.

Dated: December 16, 2009

LAW OFFICES OF JOHN C. SMITH, JR.


JOHN C. SMITH, JR., Esq.
Attorney for Plaintiff RICHARD ENGER

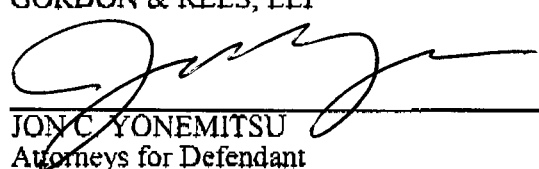
Dated: December 16, 2009

LAW OFFICES OF MICHAEL JAY MANDEL


MICHAEL JAY MANDEL, Esq.
Attorney for Plaintiff RICHARD ENGER

Dated: December 28, 2009

GORDON & REES, LLP



JON C. YONEMITSU
Attorneys for Defendant
UNITED RENTALS NORTHWEST, INC.,
(erroneously sued herein as United Rentals, Inc.)

ORDER OF DISMISSAL WITH PREJUDICE

Having considered the parties' Stipulation of Dismissal with Prejudice and for good cause appearing, it is hereby ORDERED:

The action RICHARD ENGER v. UNITED RENTALS NORTHWEST, INC., et al., Case Number C08-04882 BZ, is dismissed with prejudice with each party to bear their own attorneys fees and costs.

Dated: December 28, 2009


UNITED STATES DISTRICT JUDGE
MAGISTRATE