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9 Attorneys for Plaintiff Elsie Jane Carey

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12 In the United States District Court
 13 In and for the Northern District of California

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16	ELSIE JANE CAREY,	Civ. No. CV 08 4921 WHA
17	Plaintiff,	
18	-v-	STIPULATION TO DISMISS ENTIRE ACTION WITH PREJUDICE; PROPOSED ORDER
19	TOLL BROTHERS, INC.,	(F.R.Civ.P. Rule 41(a)(1))
20	Defendant.	

21 _____/

22 Pursuant to the provisions of F.R.Civ.P. Rule 41(a)(1),
 23 Elsie Jane Carey, plaintiff, and Toll Brothers, Inc.,
 24 defendant (all the named parties as to the above-entitled
 25 action), by and through their respective attorneys, do hereby
 26 stipulate to dismiss the above-entitled action in its entirety
 27 with prejudice, based on a settlement agreement having been

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1 reached between the parties.

2 DATED: 2-13-2009

JAMES SMITH, ESQ.
SMITH LILLIS PITHA LLP

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/s/James Smith
Attorneys for Plaintiff
TOLL BROTHERS, INC.

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7 DATED: 2-13-2009

LOUIS A. HIGHMAN, ESQ.
BRUCE J. HIGHMAN, ESQ.
HIGHMAN, HIGHMAN & BALL

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/s/Louis A. Highman
Attorneys for Plaintiff
ELSIE JANE CAREY

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ORDER

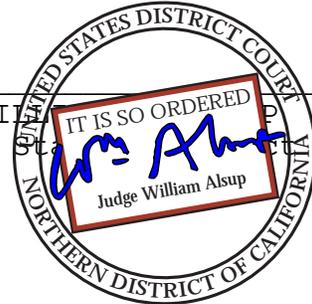
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Good cause appearing therefor, IT IS SO ORDERED.

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14 DATED: February 17, 2009

HON. WILLIAM ALSUP
United States District Court
Judge



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