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 SPRINT NEXTEL CORPORATION

14 [Additional counsel listed after
15 signature pages]

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19

20 RUDOLPH THOMAS, Individually
 21 and on behalf of all others similarly
 22 situated,

23 Plaintiff,

24 v.

25 SPRINT NEXTEL CORPORATION
 and SPRINT SOLUTIONS, INC., d/b/a
 26 SPRINT, SPRINT PCS and/or
 NEXTEL and DOES 1 - 50,

27 Defendants.

Case No. CV 08 5119 TEH

Honorable Thelton E. Henderson

JOINT STIPULATION AND
~~**PROPOSED**~~ **ORDER TO DISMISS**
SPRINT NEXTEL CORPORATION

[Fed. R. Civ. P. 41(a)]

[Complaint Filed: November 10, 2008]

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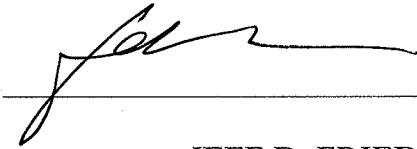
Whereas plaintiff Rudolph Thomas ("**Thomas**") has filed a complaint against defendant Sprint Nextel Corporation ("**SNC**");

Whereas SNC has informed Thomas that there is no personal jurisdiction over SNC in California and provided Thomas with evidence of that fact in the form of a declaration, attached hereto as EXHIBIT A;

IT IS HEREBY STIPULATED AND AGREED by and between Thomas, on the one hand, and SNC, on the other hand, through their respective counsel of record, that the above-captioned action be dismissed without prejudice pursuant to Fed. R. Civ. P. 41(a)(2) as to SNC.

Dated: February 5, 2009

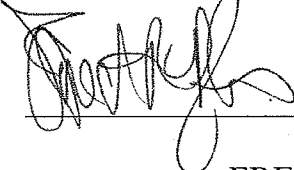
HAGENS, BERMAN SOBOL SHAPIRO LLP

By 

JEFF D. FRIEDMAN
Attorneys for Plaintiff
RUDOLPH THOMAS

Dated: February 5, 2009

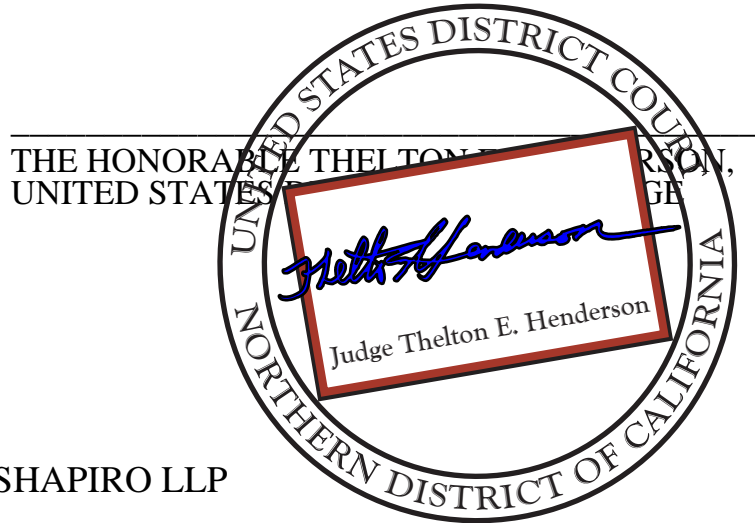
SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By 

FRED R. PUGLISI
Attorneys for Defendant
SPRINT SOLUTIONS, INC.

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2 Dated: February 6, 2009



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