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5 Attorney for Plaintiff,
6 MAYUMI KIMURA

7 **UNITED STATES DISTRICT COURT**
8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

9 MAYUMI KIMURA,

10 Plaintiff,

11 vs.

12 STEVEN ADAIR MacDONALD &
13 ASSOCIATES, P.C., DANIEL RILEY, and
14 DOES 1 through 20.

15 Defendants.

Case No. CV 08 5579 EDL

~~PROPOSED~~ ORDER
DISMISSING STEVEN ADAIR
MacDONALD & ASSOCIATES,
P.C. AND DANIEL RILEY WITH
PREJUDICE

17 WHEREAS Plaintiff MAYUMI KIMURA requests that Defendant STEVEN ADAIR
18 MacDONALD & ASSOCIATES, P.C. and Defendant DANIEL RILEY be dismissed from this
19 litigation with prejudice;

20 IT IS ORDERED THAT Defendant STEVEN ADAIR MacDONALD &
21 ASSOCIATES, P.C. and Defendant DANIEL RILEY are dismissed from this litigation with
22 prejudice.

23 **SO ORDERED.**

24
25 **DATED:** January 20, 2009

Elijah R. D. Lopez
MAGISTRATE JUDGE OF THE UNITED
STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT
OF CALIFORNIA

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27
28 **~~PROPOSED~~ ORDER DISMISSING STEVEN ADAIR MacDONALD & ASSOCIATES, P.C. AND DANIEL RILEY WITH PREJUDICE**

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11 vs.

12 STEVEN ADAIR MacDONALD &
13 ASSOCIATES, P.C., DANIEL RILEY, and
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15 Defendants.

Case No. CV 08 5579 EDL

**DECLARATION OF CARY S.
KLETTER IN SUPPORT OF
REQUEST FOR DISMISSAL OF
STEVEN ADAIR MacDONALD &
ASSOCIATES, P.C. AND DANIEL
RILEY WITH PREJUDICE**

16
17 I, Cary S. Kletter, being sworn to tell the truth, hereby affirm as follows:
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- 19 1. I am an attorney licensed to practice law in the States of California and
20 New York as well as in this Federal jurisdiction.
- 21 2. I am a partner in Kletter & Peretz, counsel for Plaintiff MAYUMI
22 KIMURA.
- 23 3. This declaration is submitted to request that this Court sign the Proposed
24 Order Dismissing STEVEN ADAIR MacDONALD & ASSOCIATES,
25 P.C. and DANIEL RILEY With Prejudice filed herewith.
- 26 4. MAYUMI KIMURA requests that Defendant STEVEN ADAIR
27 MacDONALD & ASSOCIATES, P.C. and Defendant DANIEL RILEY
28 be dismissed from this action with prejudice.

DECLARATION OF CARY S. KLETTER IN SUPPORT OF REQUEST FOR ORDER DISMISSING
OF STEVEN ADAIR MacDONALD & ASSOCIATES, P.C. AND DANIEL RILEY WITH PREJUDICE

1 I declare that the foregoing is true based upon penalty of perjury, affirmed this 16th day of
2 January 2009 in San Francisco, California.

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5 Cary S. Kletter
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DECLARATION OF CARY S. KLETTER IN SUPPORT OF REQUEST FOR ORDER DISMISSING
OF STEVEN ADAIR MacDONALD & ASSOCIATES, P.C. AND DANIEL RILEY WITH PREJUDICE