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13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

16 JOSE ESPARZA,

17 Plaintiff,

18 v.

19 TOM VILSACK, Secretary of Agriculture
 20 for the United States Department of
 Agriculture,

21 Defendant.

Case No. 09-0449 JSW

**STIPULATION AND ~~PROPOSED~~
 ORDER OF DISMISSAL WITH
 PREJUDICE**

22
 23 THE PARTIES IN THE ABOVE-CAPTIONED ACTION HEREBY SUBMIT THE
 24 FOLLOWING STIPULATION:

25 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), plaintiff JOSE ESPARZA and
 26 defendant TOM VILSACK, Secretary of Agriculture for the United States Department of
 27 Agriculture, hereby stipulate to dismiss with prejudice the above-captioned action, including all
 28 claims that were asserted therein. Each party will bear its own costs and attorneys fees.

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Dated: October 2, 2009



JOSE ESPARZA
Plaintiff

Dated: October 2, 2009

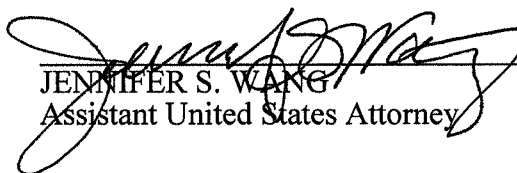
KLETTER LAW FIRM



CARY S. KLETTER
Attorney for Plaintiff

Dated: October 2, 2009

JOSEPH P. RUSSONIELLO
United States Attorney

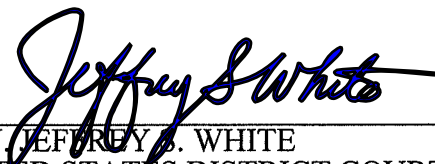


JENNIFER S. WANG
Assistant United States Attorney

PROPOSED ORDER

**PURSUANT TO THE ABOVE STIPULATION AND AGREEMENT, APPROVED
AND SO ORDERED.**

Dated: October 20, 2009



HON. JEFFREY S. WHITE
UNITED STATES DISTRICT COURT JUDGE