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6 **UNITED STATES DISTRICT COURT**
 7 **NORTHERN DISTRICT OF CALIFORNIA**
 8 **SAN FRANCISCO DIVISION**

ERVIN COHEN & JESSUP LLP

10 KENNEDY FUNDING, INC., a New Jersey Corporation,)

11 Plaintiff,)

12 v.)

13 NICHOLAS CHAPMAN, an individual; JIREH)
 14 EDUCATIONAL MINISTRIES, a California)
 non-profit corporation; NEWPORT AVALON)
 15 INVESTORS, LLC, a California limited)
 liability company; BRIAN D. EVANS, an)
 16 individual; MANCEBO CORPORATION, a)
 California Corporation; ARNE WAGNER, an)
 17 individual; LAWRENCE S. THAL, an)
 individual; REDGE MARTIN, an individual;)
 18 VANGUARD FINANCIAL LTD., and DOES 1)
 through 50, Inclusive,)

19 Defendants.)

20 NEWPORT AVALON INVESTORS, LLC, a)
 California corporation,)

21 Counter-Claimant,)

22 v.)

23 KENNEDY FUNDING, INC., a New Jersey)
 24 corporation,)

25 Counterclaim-Defendant.)

Case No. C 09-01957 RS

**ORDER ON STIPULATION TO DISMISS
 ENTIRE COMPLAINT INCLUDING ALL
 COUNTER CLAIMS AND CLOSE CASE**

Date: [No Hearing Required]
 Place: Courtroom 3, 17th Floor
 Judge: The Honorable Richard Seeborg

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1 the Complaint.

2 **IT IS HEREBY ORDERED** that:

3 1. The entire Complaint, Newport Counter Claims and the Vanguard Counter Claims,
4 including all counter claims is dismissed, such that this case will be closed by the Court.

5 2. The Parties are each responsible for their own respective attorneys' fees and costs.

6 3. Nothing herein shall extinguish, prejudice or affect any claims or rights that the
7 Vanguard Defendants, or any of them, have or may have against the Chapman Defendants or any
8 of them.

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11 Dated: 11/3/11



12 RICHARD SEEBORG
13 United States District Court Judge

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