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20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA
22 SAN FRANCISCO DIVISION

23 GEORGE L. KIRBYSON,

24 Plaintiff,

25 v.

26 TESORO CORPORATION D.B.A TESORO
27 REFINING AND MARKETING COMPANY,
28 BRUCE SMITH, DAN PORTER, WILLIAM
BODNAR, BILL REITZEL, DANIEL
CARLSON, RICK RIOS, TAMMY MEAMBER,
DIANE DANIELS, LARRY ANGEL, UNITED
STEEL WORKERS, INTERNATIONAL UNION
LOCAL 5, JEFF CLARK, STEVE ROJEK, AND
DOES 1 THROUGH 200 INCLUSIVE,

Defendants.

CASE NO.: C-09-03990-SC


**STIPULATED DISMISSAL WITH
PREJUDICE [FRCP 41(a)(1)]**

Courtroom 1, 17th Floor
Honorable Judge Samuel Conti

1 TO THE HONORABLE SAMUEL CONTI, DISTRICT COURT JUDGE:

2 It is hereby stipulated by and between Plaintiff George Kirbyson ("Plaintiff") and
3 Defendant Tesoro Refining and Marketing Company ("Defendant" or "Tesoro"), through their
4 respective counsel of record herein, that the above-captioned action be and hereby is dismissed
5 with prejudice pursuant to FRCP 41(a)(1).

6 SO STIPULATED:

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| <p>7 Dated: March 28, 2012</p> | <p>Michael S. Chamberlin Julie M. Capell Amy M. Gillinger FULBRIGHT & JAWORSKI L.L.P.</p> <p>By <u>/s/ Amy M. Gillinger</u> Amy M. Gillinger Attorneys for Defendant Tesoro Refining and Marketing Company</p> |
| <p>13 Dated: March 28, 2012</p>  | <p>14 Jesse M. Rivera Shanan L. Hewitt RIVERA & ASSOCIATES</p> <p>By <u>/s/ Jesse M. Rivera</u> Jesse M. Rivera Attorneys for Plaintiff George L. Kirbyson</p> |

18 I, Amy M. Gillinger, am the ECF User whose ID and password are being used to file this
19 joint Stipulation. In compliance with General Order 45, X.B., I hereby attest, through my
20 signature above, that Jesse M. Rivera concurred in this filing.

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| <p>22 Dated: March 28, 2012</p> | <p>23 Michael S. Chamberlin Amy M. Gillinger FULBRIGHT & JAWORSKI L.L.P.</p> <p>25 By <u>/s/ Amy M. Gillinger</u> Amy M. Gillinger Attorneys for Defendant Tesoro Refining and Marketing Company</p> |
|---------------------------------|--|