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5 Attorney for Plaintiff WELLLIVING
CORPORATION, a California corporation
6 dba MVP INTERACTIVE

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 WELLLIVING CORPORATION, a
11 California corporation dba MVP
INTERACTIVE SPORTS,

12 Plaintiff,

13 vs.

14 BUDDY CARDIEL, an individual, LISA
15 WILEY, an individual, POWEREDGE
BASEBALL, and DOES 1-10

16 Defendants.

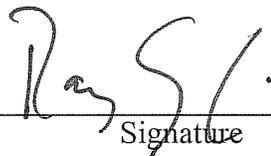
Case No: CV 09-5101 MEJ

The Honorable Maria-Elena James

**REQUEST FOR DISMISSAL AS TO
DEFENDANT LISA WILEY WITHOUT
PREJUDICE and ~~PROPOSED~~ ORDER**

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18 IT IS HEREBY REQUESTED by Plaintiff to this action, WELLLIVING
19 CORPORATION, a California corporation dba MVP INTERACTIVE SPORTS, through their
20 counsel of record that the above-captioned action be and hereby is dismissed without prejudice
21 as to Defendant LISA WILEY only, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of
22 Civil Procedure. Each party to waive its rights to appeal and bear its own costs and attorney's
23 fees.

24 Date: February 25, 2010 Plaintiff's Counsel


Signature

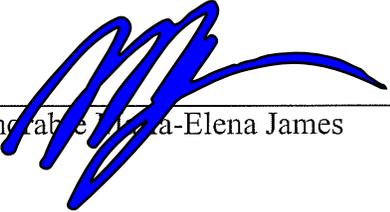
26 Plaintiff's Counsel Ray K. Shahani, Esq.
27 Printed Name

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IT IS HEREBY ORDERED THAT the above-captioned action be and hereby is dismissed as to Defendant Lisa Wiley only without prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. The parties will bear their own attorney's fees and costs of suit.

Date: February 26, 2010



Honorable Lisa-Elena James