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6 *Lead Counsel for Plaintiffs*  
 and the Proposed Class  
 7 (*Additional Counsel on Signature Page*)

8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**

10  
 11 MARIO CONTRERAS and MADELINE  
 HUNTER, on behalf of themselves and  
 12 others similarly situated,  
 13  
 Plaintiffs,  
 14  
 v.  
 15 TOYOTA MOTOR SALES USA, INC.;;  
 and DOES 1 through 50,  
 16  
 Defendants.  
 17

CASE NO. 3:09-cv-06024-JSW

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

18  
 19 Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the parties to the  
 20 above identified action, by and through their respective counsel, hereby jointly stipulate to the  
 21 following:

- 22 1. Plaintiffs Mario Contreras and Madeline Hunter’s claims in the above-identified
- 23 action are dismissed *with prejudice*;
- 24 2. Putative class claims in the above-identified action are dismissed *without prejudice*;

25 ///  
 26 ///  
 27 ///

3. Each party shall bear its own attorneys' fees and costs.

IT IS SO STIPULATED.

Dated: October 22, 2012

AUDET & PARTNERS, LLP

By: /s/ Michael McShane

Michael McShane  
Attorneys for Plaintiffs MARIO  
CONTRERAS and MADELINE HUNTER

Dated: October 22, 2012


SEDGWICK LLP

By: /s/ Stephanie Sheridan

Stephanie Sheridan  
Attorneys for Defendant  
TOYOTA MOTOR SALES USA, INC.

PURSUANT TO STIPULATION AND THE FEDERAL RULES OF CIVIL  
PROCEDURE 23(e) AND 41(a)(1)(A)(ii), IT IS SO ORDERED.

Dated: October 22, 2012

  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I, Michael McShane, am the ECF User whose ID and password are being used to file this STIPULATION OF DISMISSAL; [PROPOSED] ORDER. In compliance with Local Rule 5-1(i)(3), I hereby attest that Stephanie Sheridan has concurred in this filing.

/s/ Michael McShane

Michael McShane