

1 CHARLES CARREON, Bar No. 127139
 2 2165 S. Avenida Planeta
 3 Tucson, AZ 85710
 4 Telephone: 520.841.0835
 5 Facsimile: 503.296.5317
 6 E-mail: chas@charlescarreon.com

7 Attorneys for Plaintiff, GARY ARDEN

8 CONSTANCE E. NORTON, Bar No. 146365
 9 DALENE R. BRAMER, Bar No. 267753
 10 LITTLER MENDELSON
 11 A Professional Corporation
 12 650 California Street, 20th Floor
 13 San Francisco, CA 94108.2693
 14 Telephone: 415.433.1940
 15 Email: cnorton@littler.com; dbramer@littler.com

16 Attorneys for Defendants
 17 SMARTE CARTE, INC.,
 18 ALLA SERDYUCHENKO
 19 AND RON BRIGHAM

20 UNITED STATES DISTRICT COURT
 21 NORTHERN DISTRICT OF CALIFORNIA

22 GARY ARDEN,

23 Plaintiff,

24 v.

25 FRANK KASTELL, LINARD DAVIS,
 26 AIRPORT TRAVEL AGENCY, INC.,
 27 ALLA SERDYUCHENKO, RON
 28 BRIGHAM, SMARTE CARTE, INC., and
 DOES 1-10,

Defendants.

Case No. 3:10-CV-00436 JL

**STIPULATION OF DISMISSAL WITH
 PREJUDICE OF CLAIMS AGAINST
 DEFENDANTS SMARTE CARTE, INC.,
 ALLA SERDYUCHENKO AND RONALD
 BRIGHAM PURSUANT TO FRCP
 41(a)(1)(A)(ii); [PROPOSED] ORDER**

FIRST AMENDED COMPLAINT FILED:
 March 25, 2010

TRIAL DATE: No date set

1 IT IS HEREBY STIPULATED by and between Plaintiff Gary Arden and Defendants
2 Smarte Carte Inc., Alla Serdyuchenko and Ronald Brigham through their designated counsel of
3 record, that the above-captioned action shall be, and hereby is, dismissed with prejudice as to
4 Defendants Smarte Carte, Inc., Alla Serdyuchenko, and Ronald Brigham pursuant to Federal Rule of
5 Civil Procedure 41(a)(2). Defendants have not filed a counterclaim. Each side shall bear its own
6 costs and attorneys' fees.

7 **IT IS SO STIPULATED.**

9 Dated: December 23, 2010

Respectfully submitted,

11 /s/ Charles Carreon
12 CHARLES CARREON
13 Attorney for Plaintiff
14 GARY ARDEN
15 Respectfully submitted,

13 Dated: December 23, 2010

15 /s/ Constance E. Norton
16 Constance E. Norton
17 Dalene R. Bramer
18 LITTLER MENDELSON
19 Attorneys for Defendants
20 SMARTE CARTE, INC.,
21 ALLA SERDYUCHENKO
22 AND RON BRIGHAM

23 **ORDER**

24 Pursuant to Federal Rule of Rule of Civil Procedure 41(a)(2), this STIPULATED
25 DISMISSAL is entered in this Action and Defendants SMARTE CARTE, INC., ALLA
26 SERDYUCHENKO and RON BRIGHAM are hereby DISMISSED from this Action WITH
27 PREJUDICE.

28 **IT IS SO ORDERED.**

Dated: 12/29/10 _____



MAGISTRATE UNITED STATES DISTRICT COURT