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4	Telephone: (916) 442-1111 Facsimile: (916) 448-1709					
5 6	Attorney for Plaintiff and Counter-defendant Medical Development International					
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8						
9	UNITED STATES D	DISTRICT COURT				
10	NORTHERN DISTRIC	CT OF CALIFORNIA				
11	SAN FRA	NCISCO				
12						
13	MEDICAL DEVELOPMENT INTERNATIONAL, a Delaware corporation,	CASE NO. 3:10-cv-00443-TEH				
14 15	Plaintiff,	STIPULATION AND [PROFOSED] ORDER DISMISSING THE ENTIRE				
15	v.	ACTION WITH PREJUDICE				
17	THE CALIFORNIA DEPARTMENT OF					
18	CORRECTIONS AND REHABILITATION; J. CLARK KELSO, in his capacity as receiver;					
19	and DOES 1 – 20, inclusive,					
20	Defendants.					
21	J. CLARK KELSO, in his capacity as receiver,					
22	Counter-claimant,					
23	V.					
24	MEDICAL DEVELOPMENT					
25	INTERNATIONAL, a Delaware corporation,					
26	Counter-defendant.					
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	STIPULATION AND [PROPOSED] ORDER DISMI	Case No. 3:10-cv-00443-TEH ISSING THE ENTIRE ACTION WITH PREJUDICE				
	Dockets.Justia.co					

1	STIPULATION AND [PROPOSED] ORDER				
2	IT IS HEREBY STIPULATED, by and between Plaintiff and Counter-defendant				
3	Medical Development International ("MDI"), Defendant California Department of Corrections				
4	and Rehabilitation ("CDCR"), and Defendant and Counter-claimant J. Clark Kelso, in his				
5	capacity as receiver that the entire above-captioned action, including all claims and counter-				
6	claims, be dismissed with prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of				
7	Civil Procedure. The parties shall bear their own fees and costs. The check for full settlement				
8	was sent by overnight mail from the CDCR on December 13, 2011, received by counsel for				
9	MDI on the morning of December 14, 2011 and then immediately transmitted to overnight				
10	carrier on December 14, 2011, prior to receipt of the subsequent Notice of Attorneys' Fee Lien				
11	filed by Watt, Tieder, Hoffar & Fitzgerald.				
12					
13	Dated: December 16, 2011	GREENBERG TRAURIG, LLP			
14		By:/ <i>s/ Jeremy A. Meier</i> Jeremy A. Meier			
15		Attorney for Plaintiff and Counter- defendant			
16		Medical Development International			
17	Dated: December 16, 2011	ATTORNEY GENERAL'S OFFICE			
18		By:/s/ Michelle M. Mitchell			
19		Kamala D. Harris Constance L. Lelouis			
20		Michelle M. Mitchell			
21		Attorneys for Defendant California Department of Corrections and Rehabilitation			
22					
23	Dated: December 16, 2011	FUTTERMAN, DUPREE, DODD, CROLEY, MAIER, LLP			
24		By:/s/ Jamie L. Dupree			
25		Martin H. Dodd Jamie L. Dupree			
26		Attorneys for Defendant and Counter- claimant Receiver			
27		J. Clark Kelso			
28					
		Case No. 3:10-cv-00443-TEH			
	STIPULATION AND [PROPOSED] ORDER DISMISSING THE ENTIRE ACTION WITH PREJUDICE				

1	PURSUAN	T TO STIPULATION, IT	IS SO ORDERED.	ES DISTRICT CON
2			E C	
3	Dated:	12/19, 2011		
4			Thelton H. United Staty 1996	Handred VIII
5			Z O B Judg	e Thelton E. Henderson
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	STIPULA	ATION AND [PROPOSED] OR	2 DER DISMISSING THE EN	Case No. 3:10-cv-00443-TEH TIRE ACTION WITH PREJUDICE