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7 UNITED STATES DISTRICT COURT
 8 NORTHERN DISTRICT OF CALIFORNIA

10	JOSEPH DALE,)	Case No. CV-10-526 MEJ
11)	
11	Plaintiff,)	
12	v.)	STIPULATION FOR
13)	DISMISSAL OF ALL
13	KEEFE KAPLAN MARITIME, INC.;)	CLAIMS,
14	VOLVO PENTA OF THE AMERICAS, INC.;)	WITHOUT PREJUDICE,
14	HC COMPOSITES L.L.C.; HCTV)	AGAINST DEFENDANTS
15	COMPOSITES, LLC; HCGB COMPOSITES,)	HCGB COMPOSITES, LLC;
15	LLC; WORLD CLASS CATAMARANS;)	AND .; HCTV COMPOSITES,
16	WORLD CAT; HELMUT'S MARINE)	LLC AND ORDER THEREON
16	SERVICE)	
17)	
17	Defendants.)	
18	_____)	

19 Pursuant to the Federal Rules of Civil Procedure, Rule 41 (a) (1) (ii), IT
 20 IS HEREBY STIPULATED by and among the parties hereto that the Complaint
 21 against Defendants **HCGB COMPOSITES, LLC and HCTV COMPOSITES,**
 22 **LLC** are hereby dismissed without prejudice, each party to bear its
 23 own costs.
 24
 25

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1 All parties have executed this Stipulation. Plaintiff JOSEPH DALE's claims
2 against Defendants HC COMPOSITES L.L.C. WORLD CLASS CATAMARANS;
3
4 WORLD CAT remain.

5 It is further agreed that if there is reasonable cause to do so, Defendants **HCGB**
6 **COMPOSITES, LLC and HCTV COMPOSITES, LLC**, may be brought back
7 into this case upon 30 days written notice, and service of such notice may be delivered to
8 the undersigned counsel for Defendants **HCGB COMPOSITES, LLC and HCTV**
9 **COMPOSITES, LLC**, which shall constitute service of the complaint.

11 In consideration for the foregoing, should Defendants **HCGB COMPOSITES,**
12 **LLC and HCTV COMPOSITES, LLC** be brought back into this lawsuit, they agree
13 not to raise the defense of the applicable statute of limitations.
14

15 IT IS FURTHER STIPULATED that defendants WORLD CAT and WORLD
16 CLASS CATAMARANS were erroneously sued as separate legal entities herein. In fact,
17 both WORLD CAT and WORLD CLASS CATAMARANS are dba's of defendant HC
18 COMPOSITES, LLC. The parties agree to amend the complaint as follows: defendant HC
19 COMPOSITES LLC, shall be amended to "HC COMPOSITES, LLC dba WORLD CAT
20 also dba WORLD CLASS CATAMARANS and the caption maybe so amended as to these
21 defendants.
22

23 **SO STIPULATED.**

24 Dated: April 26, 2010

BIRNBERG & ASSOCIATES

26 By: /s/ Cory A. Birnberg
27 Cory A. Birnberg
28 Attorneys for Plaintiff

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GIBSON, ROBB & LINDH

Dated: April 26, 2010

By: /s/Josh Southwick
Josh Southwick
Attorney for Defendants
HCGB COMPOSITES, LLC and HCTV
COMPOSITES, LLC HC COMPOSITES L.L.C.
WORLD CLASS CATAMARANS; WORLD CAT

APPROVED AND SO ORDERED:

Dated: May 26, 2010

By: 

Maria Elena James
United States Magistrate Judge

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