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14 *Attorneys for Plaintiff*

15
 16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**

18 **RALPH PALUMBO, JR.,**
 19 Plaintiff,
 20 v.
 21 **WELLS FARGO BANK, N.A.,**
 22 Defendant.

Civil Case No. 3:10-cv-00801 EMC

**STIPULATION AND ~~[PROPOSED]~~
ORDER OF DISMISSAL**

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IT IS HEREBY STIPULATED by and between the parties to this action through their designated counsel that the above-captioned action be and hereby is dismissed with prejudice pursuant to FRCP 41(a)(1).

Dated: May 23, 2012

/s/ Kevin J. McNerney
Kevin J. McNerney
Attorney for Plaintiff

Dated: May 23, 2012

/s/ Lindbergh Porter, Jr.
Lindbergh Porter, Jr.
Attorney for Defendant

IT IS SO ORDERED.

Honorable Edward M. Chen
United States District Court



1 **PROOF OF SERVICE**
2 *Ralph Palumbo, Jr. v. Wells Fargo Bank, N.A.*
3 **United States District Court, Northern District of California**
4 **Case No. 3:10-cv-00801 EMC**

5 I, the undersigned, declare as follows:

6 I am employed in the County of Washoe, State of Nevada.

7 I am over the age of eighteen (18) years and not a party to the within action; my business address is 18124 Wedge Parkway, #503, Reno Nevada, 89511.

8 On May 23, 2012, I served the foregoing document(s) described as:

9 **STIPULATION AND [PROPOSED] ORDER OF DISMISSAL**

10 on all interested parties in this action addressed to the addressee as follows:

11 Lindbergh Porter, Jr., Esq.

12 lporter@littler.com

13 Richard H. Rahm, Esq.

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20 XX By CM/ECF. I electronically transmitted the attached document to the Clerk's Office using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to the above CM/ECF registrant(s).

21 I declare under penalty of perjury under the laws of the United States of America that the above is true and correct. Executed on May 23, 2012 at Reno, Nevada.

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Jennifer Smith