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11 Attorneys for Plaintiff
 12 SHERRY OTIS

13 IN THE UNITED STATES DISTRICT COURT
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

15 SHERRY OTIS,
 16 Plaintiff,
 17 v.
 18 KAISER FOUNDATION HEALTH
 19 PLAN, INC.,
 20 Defendant.

Case No. 10-CV-1234 EMC

**STIPULATION AND ~~PROPOSED~~
 ORDER REGARDING DISMISSAL**

21 The parties, through their respective undersigned counsel, hereby stipulate pursuant to
 22 Fed. R. Civ. P. 41(a)(1) that: (1) all claims for relief asserted against KAISER
 23 FOUNDATION HEALTH PLAN, INC. by SHERRY OTIS herein are dismissed with
 24 prejudice; and (2) all attorneys' fees, costs of court and expenses shall be borne by each party
 25 incurring the same.

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1 Dated: February 15, 2011

THE LANIER LAW FIRM, P.C.

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By: /s/ Carmen M. Aviles

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Christopher D. Banys
Carmen M. Aviles

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Attorneys for Plaintiff
SHERRY OTIS

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8 Dated: February 15, 2011

REED SMITH, LLP

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By: /s/ Tiffany Renee Thomas

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Tiffany Renee Thomas

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Attorney for Defendant
KAISER FOUNDATION HEALTH
PLAN, INC.

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UPON STIPULATION of the parties, and good cause appearing therefore, it is hereby

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ORDERED, ADJUDGED and DECREED that: (1) all claims for relief asserted against

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KAISER FOUNDATION HEALTH PLAN, INC. by SHERRY OTIS herein are dismissed

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with prejudice; and (2) all attorneys' fees, costs of court and expenses shall be borne by each

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party incurring the same.

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IT IS SO ORDERED.

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Dated: _____, 2011

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