1	HOLLAND & KNIGHT LLP
l	Charles L. Coleman, III [California Bar No. 65496]
2	50 California Street, 28th Floor
3	San Francisco, California 94111
	Tel.: (415) 743-6900
4	Fax.: (415) 743-6910
	Email: charles.coleman@hklaw.com
5	
6	HOLLAND & KNIGHT LLP
	Christopher G. Kelly (pro hac vice)
7	Alan Reitzfeld (pro hac vice)
	Judith R. Nemsick (pro hac vice)
8	31 West 52nd Street
9	New York, New York 10019
	Tel.: (212) 513-3200
0	Fax.: (212) 385-9010
	Email: christopher.kelly@hklaw.com
1	alan.reitzfeld@hklaw.com

judith.nemsick@hklaw.com

Attorneys for Defendant SOCIÉTÉ AIR FRANCE

# UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA

#### SAN FRANCISCO DIVISION

HAMPTON HARRIS, Individually, and as
Independent Administrator of the Estate of
MICHAEL HARRIS, Deceased; and
ANDREW MUSGROVE, Individually and
as Independent Administrator of the Estate of
The Estate of

IN RE AIR CRASH OVER THE MID-ATLANTIC ON JUNE 1, 2009

Plaintiffs,

VS.

ANNE HARRIS,

MDL Docket No. 10-2144-CRB

This Document Relates To: Case No. 3:10-cv-1936-CRB

STIPULATION AND [PROM ORDER OF DISMISSAL WITH **PREJUDICE** 

STIPULATION AND [PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE

MDL Docket No. 10-2144-CRB Case No. 3:10-cv-1936-CRB

3

4

5

6

8

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

SOCIÉTÉ AIR FRANCE; AIRBUS S.A.S.; HONEYWELL INTERNATIONAL, INC.; ROCKWELL COLLINS, INC.; and THALES AVIONICS, S.A.,

Defendants.

IT IS HEREBY STIPULATED AND AGREED by and between the attorneys for Plaintiffs and Defendant Société Air France ("Air France") that Plaintiffs' claims against all defendants in this action are dismissed with prejudice and without interest or costs to any party. The dismissal of the Plaintiffs' claims is without prejudice to any claims which have been or could be asserted by Air France against any other defendant. All rights of indemnity, contribution, subrogation or other derivative claim that Air France may have against any other defendant, whether the claim is known or unknown, is expressly preserved. On January 11, 2011, the circuit clerk for the U.S. Court of Appeals for the Ninth Circuit issued an Order dismissing the docketed appeal as to the other captioned defendants pursuant to Federal Rule of Appellate Procedure 42(b), such Order to act as and for the mandate of the Court of Appeals as to those defendants.

Dated: May 2011

MITHOFF LAW FIRM

By: Nichard Mithoff

500 Dallas Street, Suite 3450 Houston, Texas 77007

Tel.: (713) 654-1122 Fax.: (713) 739-8085

Email: rmithoff@mithofflaw.com

**HOLLAND & KNIGHT LLP** 

Christopher G. Kelly, Esq.

31 West 52nd Street

New York, New York 10019

Tel.: (212) 513-3200 Fax.: (212) 385-9010

Email: christopher.kelly@hklaw.com

- and -

- and -

STIPULATION AND [PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE

MDL Docket No. 10-2144-CRB Case No. 3:10-cv-1936-CRB

27

28

50 California Street, 28th Floor

Holland & Knight LLP

### BECK, REDDEN & SECREST, LLP Russell Post One Houston Center 1221 McKinney Street, Suite 4500 Houston, Texas 77010-2010 Tel.: (713) 951-3700 Fax.: (713) 951-3720

San Francisco, California 94111 Fax.: (415) 743-6910 Email: rpost@brsfirm.com

WALKUP, MELODIA, KELLY & SCHOENBERGER Khaldoun Baghdadi 650 California Street, 26<sup>th</sup> Floor San Francisco, California 94108 Tel.: (415) 981-7210 Fax.: (415) 391-6965 Email: kbaghdadi@walkuplawoffice.com

Attorneys for Plaintiffs Hampton Harris and Andrew Musgrove

HOLLAND & KNIGHT LLP

Charles L. Coleman, III [California Bar No. 65496] 50 California Street, 28th Floor

Tel.: (415) 743-6900

Email: charles.coleman@hklaw.com

Attorneys for Defendant Société Air France

#### IT IS SO ORDERED.

Dated: May 19, 2011 Hon. Charl IT IS SO ORDERED Judge Charles R. Breyer #10317335 v3

STIPULATION AND [PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE