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E-Filed 10/1/10 Robert F. Schwartz, SBN 227327 1 Michelle L. Schuller, SBN 255787 TRUCKER **◆** HUSS 2 A Professional Corporation 120 Montgomery Street, 23rd Floor San Francisco, California 94104 3 Telephone: (415) 788-3111 rschwartz@truckerhuss.com E-mail: mschuller@truckerhuss.com 5 Attorneys for Defendant Sun Microsystems, Inc. 6 Comprehensive Welfare Benefit Plan 7 UNITED STATES DISTRICT COURT 8 NORTHERN DISTRICT OF CALIFORNIA 9 CARLA FLORIAN CHEN, Case No. C 10—2112 RS MEJ 10 STIPULATION AND [PROPOSED] Plaintiff, 11 ORDER RE DISMISSAL WITH PREJUDICE 12 VS. 100 Montgomery Street, 23rd Floor Professional Corporation SUN MICROSYSTEMS, INC. 13 COMPREHENSIVE WELFARE BENEFIT PLAN, and DOES 1 through 14 50. San Francisco, 15 Defendants. 16 Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff CARLA FLORIAN 17 and Defendant SUN MICROSYSTEMS, INC. COMPREHENSIVE 18 WELFARE PLAN, stipulate and agree, by and through their respective counsel, that 19 the above-referenced action is hereby dismissed, with prejudice. Except as may be 20 agreed by the parties, each party shall bear her or its own attorney's fees and costs. 2.1 22 DATED: September 30, 2010 By: /s/ Kathryn C. Curry 23 Kathryn C. Curry Attorneys for Plaintiff 24 Carla Florian Chen 25 26 27 28 STIPULATION RE DISMISSAL WITH PREJUDICE; Case No. C 10-2112 RS MEJ 1

1		TRUCKER → HUSS
2	DATED: September 30, 2010	By: /s/ Robert F. Schwartz
3		By: /s/ Robert F. Schwartz Robert F. Schwartz Attorneys for Defendant Sun Microsystems, Inc. Comprehensive Welfare Plan
4		Welfare Plan
5	IT IS SO ORDERED.	
7	II IS SO ORDERED.	
8	DATED:	, 2010
9		72hlSel
10		——————————————————————————————————————
11		Honorable Richard Seeborg United States District Judge
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