

E-Filed 10/1/10

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 Comprehensive Welfare Benefit Plan
 7

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 CARLA FLORIAN CHEN,

Case No. C 10—2112 RS MEJ

11 Plaintiff,

**STIPULATION AND [PROPOSED]
 ORDER RE DISMISSAL WITH
 PREJUDICE**

12 vs.

13 SUN MICROSYSTEMS, INC.
 14 COMPREHENSIVE WELFARE
 BENEFIT PLAN, and DOES 1 through
 15 50,

16 Defendants.

17 Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff CARLA FLORIAN
 18 CHEN and Defendant SUN MICROSYSTEMS, INC. COMPREHENSIVE
 19 WELFARE PLAN, stipulate and agree, by and through their respective counsel, that
 20 the above-referenced action is hereby dismissed, with prejudice. Except as may be
 21 agreed by the parties, each party shall bear her or its own attorney's fees and costs.
 22

23 DATED: September 30, 2010

By: /s/ Kathryn C. Curry

Kathryn C. Curry
 Attorneys for Plaintiff
 Carla Florian Chen

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DATED: September 30, 2010

By: /s/ Robert F. Schwartz
Robert F. Schwartz
Attorneys for Defendant Sun
Microsystems, Inc. Comprehensive
Welfare Plan

IT IS SO ORDERED.

DATED: 10/1, 2010



Honorable Richard Seeborg
United States District Judge