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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

HERTZ EQUIPMENT RENTAL CORPORATION,

Plaintiff,

vs.

RAMON USEDA, FRED KICENSKI, and DOES 1 through 20,

Defendants.

Case No. CV-3:10-4953 WHA

**STIPULATION OF DISMISSAL WITH PREJUDICE OF ALL CLAIMS AGAINST DEFENDANT RAMON USEDA; ~~PROPOSED~~ ORDER**

**[F.R.C.P. 41(a)(1)]**

Complaint Filed: November 2, 2010  
Trial Date: None set

1 IT IS HEREBY STIPULATED by and between Plaintiff HERTZ EQUIPMENT RENTAL  
2 CORPORATION (“HERC”), by and through its counsel of record herein, and Defendant RAMON  
3 USEDA (“USEDA”) that all claims in the above-captioned action against USED A, and that the entire  
4 action, shall be and hereby are dismissed with prejudice, with each party to bear its own costs and  
5 attorneys’ fees.

6 HERC AND USED A FURTHER STIPULATE that, under the Stipulated Permanent  
7 Injunction as to Defendant Ramon Useda, and Order thereon, entered by the Court on January //,  
8 2011, the Court shall retain jurisdiction over the enforcement of the terms of the Settlement  
9 Agreement between HERC and USED A for a period of three years.

10 **THE CLERK SHALL CLOSE THE FILE.**

11 DATED: January 12, 2011

NIXON PEABODY LLP

12  
13 By: /s/ Charles M. Dyke

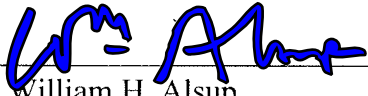
14 Charles M. Dyke  
15 Attorney for Plaintiff  
HERTZ EQUIPMENT RENTAL  
CORPORATION

16 DATED: January 7, 2011

17  
18 /s/ Ramon Useda  
19 Ramon Useda

20  
21 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

22 Dated: January 13, 2011.

23   
24 Hon. William H. Alsup  
25 United States District Judge  
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