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12 Attorney for Defendant  
 Cornell Corrections of California, Inc.

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 SAN FRANCISCO DIVISION

18 ROBERT KLURE,

19 Plaintiff,

20 v.

21 ANDRE DONIEL ARMSTRONG,  
 22 CORNELL CORRECTIONS, AND DOES  
 1 TO 100,

24 Defendants.

NO. 3:11-CV-01853-EMC

**STIPULATION OF DISMISSAL WITH  
 PREJUDICE**

Judge: Hon. Edward M. Chen

1                   WHEREAS Plaintiff Robert Klure (“Klure”) filed a tort action, Case No. CGC-12-  
2 519821, in California Superior Court on April 6, 2012 against Defendants Andre Armstrong,  
3 Cornell Corrections of California, Inc. (“Cornell”), and The GEO Group, Inc. (the “State Court  
4 Proceeding”) premised on the same facts and allegations at issue in the First Amended Complaint  
5 in this action;

6                   WHEREAS Fed. R. Civ. P. 41(a) (1)(A)(ii) authorizes dismissal of an action upon  
7 stipulation of the all parties who have appeared;

8                   WHEREAS only Klure and Cornell have appeared in this action;

9                   WHEREAS Klure and Cornell agree that this matter should be litigated in the  
10 State Court Proceeding;

11                   WHEREAS Klure and Cornell agree that this Stipulation will have no prejudicial  
12 effect on the state court proceeding;

13                   WHEREAS Cornell agrees that it will not assert as a defense to the State Court  
14 Proceeding that the claims currently alleged in the State Court Proceeding are time barred.

15                   NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and  
16 between the parties, through their undersigned counsel that:

17                   1.       This action shall be and hereby is dismissed in its entirety with prejudice  
18 pursuant to Fed. R. Civ. P. 41(a).

19                   2.       Such dismissal is without prejudice as to all claims asserted by Klure in the  
20 State Court Proceeding and shall have no effect thereon.

21                   3.       The parties shall bear their own fees and costs incurred in this action.  
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DATED:

6/25/12

MUNGER, TOLLES & OLSON LLP

By:   
LAURA K. SULLIVAN

Attorneys for Plaintiff  
ROBERT KLURE

DATED: 6/22/12

LIVINGSTON LAW FIRM

By:   
CRYSTAL L. VAN DER PUTTEN

Attorneys for Defendant  
CORNELL CORRECTIONS OF  
CALIFORNIA, INC.

Filer's Attestation

I, Laura K. Sullivan, am the ECF user whose identification and password are being used to file this **Stipulation of Dismissal Without Prejudice**. In compliance with General Order 45.X.B, I hereby attest that Crystal L. Van Der Putten concurs in this filing.

DATED: 6/25/12

/s/ 

IT IS SO ORDERED:

Edward M. Chen  
U.S. District Judge

