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15 Attorney for Plaintiffs and the **CLASS**

16  
 17 U.S. DISTRICT COURT  
 18 NORTHERN DISTRICT OF CALIFORNIA  
 19 (OAKLAND DIVISION)  
 20

21 MELISSA PANICO, individually, and as  
 22 mother and next friend of, SIGNE  
 WHELAN and OSCAR WHELAN,  
 23 Plaintiffs,  
 24 vs.  
 25 BDR THERMEA, BAXI GROUP, and  
 26 MILES INDUSTRIES LTD.; and DOES 1  
 through 25, inclusive,  
 27 Defendants.

Case No.: 3:11-cv-02378-EDL  
 STIPULATION AND ORDER FOR  
 DISMISSAL OF CERTAIN DEFENDANTS  
 WITHOUT PREJUDICE

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28 Dismissal Without Prejudice  
 Case No. 3:11-cv-02378-EDL



1 **Re: *Panico, Melissa v. BDR Thermea, et al.***  
2 **Northern District Court, Case No.: 3:11-cv-02378-EDL**

3 **PROOF OF SERVICE**

4 I, Connie McComb, declare and state:

5 I am a citizen of the United States, over 18 years of age, employed in the County  
6 of Sacramento, and not a party to the within action. My business address is 865 Howe  
7 Avenue, Sacramento, CA 95825.

8 On January 24, 2012, I served the within STIPULATION AND ORDER FOR  
9 DISMISSAL OF CERTAIN DEFENDANTS WITHOUT PREJUDICE on the following parties in  
10 said action by placing a true copy thereof enclosed in a sealed envelope by:

11  (BY MAIL) I caused such envelope with postage thereon fully prepaid to be placed  
12 in the United States mail at Sacramento, California. I am familiar with my firm's  
13 practice whereby the mail is given the appropriate postage and is placed in the  
14 designated area to be deposited in a U.S. mail box in Sacramento, California, in the  
15 ordinary course of business;

16  (BY EXPRESS MAIL) I caused such envelope to be placed in the U.S. Mail/UPS  
17 depository at Sacramento, California; overnight service;

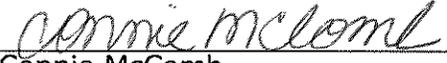
18  (BY PERSONAL SERVICE) delivered by hand to addressee at the address listed  
19 below;

20  (BY FACSIMILE/TELECOPIER) I personally sent to the addressee's telecopier  
21 number (stated above) a true copy of the above-described documents.

22  (BY TRANSMITTING VIA EMAIL OR ELECTRONIC TRANSMISSION) the document(s)  
23 listed above to the addressees listed on the attached service list at the email  
24 addresses listed thereon.

25 Sean Whelan  
26 158 Funston Avenue  
27 San Francisco, CA 94118

28 I declare under penalty of perjury under the laws of the State of California that the  
foregoing is true and correct. Executed on January 24, 2012, at Sacramento, California.

  
Connie McComb