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 10 INC.

11 *Attorneys for Defendant*

12
 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

15 HAROLD SMALLEY, ET AL.

16 Plaintiffs,

17 v.

18 HOME DEPOT U.S.A., INC.,

19 Defendant.

Case No. 3:11-cv-02951-JCS

STIPULATION OF DISMISSAL OF
 CERTAIN PLAINTIFFS

21 Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, the parties hereby
 22 stipulate to the dismissal, with prejudice, of the claims of plaintiffs William Boroughs,
 23 Donald S. Edwards, Diane M. Kirby, Sean E. Liston, Robert M. Malmberg, Lisa Rivas,
 24 Hector Sanchez and Michael Lynn Schwartz in their entirety.

25 Each party will bear their own costs and attorney's fees.

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28 STIPULATION OF DISMISSAL OF CERTAIN PLAINTIFFS

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Respectfully submitted,

Dated: May 15, 2012

/s/ Caitlin Duffy
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One of the Attorneys for Plaintiffs

Dated: May 15, 2012

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One of the Attorneys for Defendant

Dated: 5/16/13



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CERTIFICATE OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

I, Jeremias V. Cordero, am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is: 580 California Street, Suite 1500, San Francisco, California 94104-1036. On May 15, 2013, I served the foregoing document described as:

STIPULATION OF DISMISSAL OF CERTAIN PLAINTIFFS,

on the interested party(ies) below, using the following means:

All parties identified for Notice of Electronic Filing generated by the Court's CM/ECF system under the referenced case caption and number

BY ELECTRONIC MAIL OR ELECTRONIC TRANSMISSION. Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent to the respective e-mail address(es) of the party(ies) as stated above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

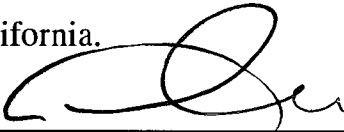
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BY UNITED STATES MAIL I enclosed the documents in a sealed envelope or package addressed to the respective address(es) of the party(ies) stated above and placed the envelope(s) for collection and mailing, following our ordinary business practices. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid at San Francisco, California.

(FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on May 15, 2013 in San Francisco, California.



Jeremias V. Cordero