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 CB2 Builders Incorporated

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 CB2 BUILDERS INCORPORATED,

Case No. CV 11-4096 EDL

12 Plaintiff,

**STIPULATION AND [PROPOSED] ORDER
 FOR DISMISSAL**

13 vs.

14 ABF FREIGHT SYSTEM, INC. and
 15 DOES 1 through 25, inclusive,

16 Defendants.

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 18 This Stipulation and Order For Dismissal is entered into between Plaintiff, CB2 Builders
 19 Incorporated (“Plaintiff”), and Defendant, ABF Freight System, Inc. (“Defendant”), by and
 20 through their respective counsel, as follows:

21 **RECITALS**

22 1. On July 13, 2011, Plaintiff filed its complaint against Defendant in the Superior
 23 Court of the State of California, County of San Francisco.

24 2. On August 24, 2011, Defendant removed this action to this Court based on federal
 25 question jurisdiction pursuant to Defendant’s Notice of Removal.

26 3. On December 30, 2011, Plaintiff filed a First Amended Complaint for violation of
 27 the Carmack Amendment, 49 U.S.C. § 14706, *et seq.*

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ORDER

Pursuant to the above Stipulation, IT IS HEREBY ORDERED that the above-entitled action is dismissed, with prejudice, with each party to bear their own attorneys' fees and costs.

Dated: August 20, 2012

By: 
Judge Elizabeth D. Laporte