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12 Attorneys for Plaintiff  
RYAN STORMES

13 **UNITED STATES DISTRICT COURT**  
14 **NORTHERN DISTRICT OF CALIFORNIA**  
15

16 RYAN STORMS,  
17 Plaintiff,  
18 v.  
19 HOME DEPOT U.S.A., INC., a Corporation;  
20 and DOES 1-100, inclusive,  
21 Defendants.

Case No. C 12-03172-JCS

**STIPULATION AND [PROPOSED] ORDER  
TO VOLUNTARILY DISMISS ACTION  
WITH PREJUDICE**

1 TO THE CLERK OF THE ABOVE CAPTIONED COURT:

2 PLEASE TAKE NOTICE that Plaintiff Ryan Stormes and Defendant Home Depot U.S.A.,  
3 Inc., by and through their undersigned counsel, hereby submit this stipulation and proposed order  
4 to voluntarily dismiss the action with prejudice pursuant to Federal Rule of Civil Procedure §  
5 41(a).

6 STIPULATION

7 Plaintiff Ryan Stormes and Defendant Home Depot U.S.A., Inc. hereby stipulate that all of  
8 Plaintiff's claims against Defendant in the above-captioned matter be voluntarily dismissed with  
9 prejudice, without costs or fees awarded to either party, pursuant to the parties' settlement  
10 agreement in this matter.

11 IT IS SO STIPULATED.

12 DATED: January 24, 2013

OGLETREE, DEAKINS, NASH, SMOAK &  
STEWART, P.C.

14 By: /s/ Lauren M. Cooper  
15 GREGORY C. CHENG  
16 LAUREN M. COOPER  
Attorneys for Defendant  
HOME DEPOT U.S.A., INC.

17 DATED: January 24, 2013

LAW OFFICES OF MATTHEW M. OLIVERI

18 By: /s/ Matthew M. Oliveri  
19 MATTHEW M. OLIVERI  
20 Attorneys for Plaintiff  
RYAN STORMES

21 SIGNATURE ATTESTATION

22 Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this  
23 document has been obtained from the other signatory.

24 DATED: January 24, 2013

OGLETREE, DEAKINS, NASH, SMOAK &  
STEWART, P.C.

26 By: /s/ Gregory Cheng  
27 GREGORY C. CHENG  
28 Attorney for Defendant  
HOME DEPOT U.S.A., INC.

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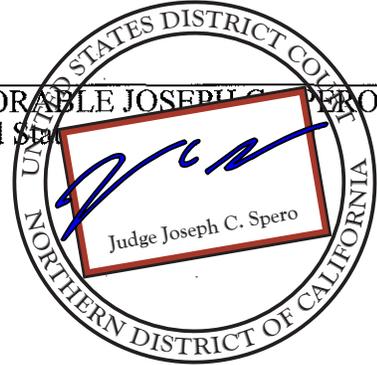
**ORDER**

Based on the foregoing stipulation between the parties, it is hereby ordered that the above-entitled matter be dismissed with prejudice, without costs or fees awarded to either party.

**IT IS SO ORDERED.**

DATED: January 25, 2013

HONORABLE JOSEPH C. SPERO  
United States District Court



14217384.1 (OGLETREE)