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5 Attorneys for Defendant
 6 HD Supply Management, Inc.

7
 8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 JOHN R. MONTEMAYER,
 11 Plaintiff,
 12 vs.
 13 H D SUPPLY MANAGEMENT, INC., and
 14 DOES 1 to 100, inclusive,
 15 Defendants.

Case No. 3:12-cv-03292-RS

**STIPULATION AND ~~PROPOSED~~
 ORDER REGARDING DISMISSAL**

Hon. Richard Seeborg

REED SMITH LLP
 A limited liability partnership formed in the State of Delaware

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The parties, through their respective undersigned counsel, hereby stipulate pursuant to Fed. R. Civ. P. 41(a)(1) that: (1) all claims for relief asserted against HD SUPPLY MANAGEMENT, INC. by JOHN R. MONTEMAYOR herein are dismissed with prejudice; and (2) all attorneys' fees, costs of court and expenses shall be borne by each party incurring the same.

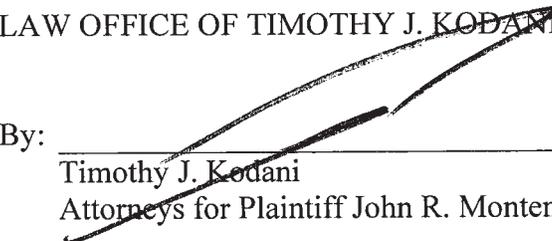
DATED 6/21/13

REED SMITH, LLP

By: 
Deborah J. Broyles
Tiffany Renee Thomas
Attorneys for Defendants HD Supply Management, Inc.

DATED: May 17, 2013

LAW OFFICE OF TIMOTHY J. KODANI

By: 
Timothy J. Kodani
Attorneys for Plaintiff John R. Montemayor

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UPON STIPULATION of the parties, and good cause appearing therefore, it is hereby ORDERED, ADJUDGED and DECREED that: (1) all claims for relief asserted against HD SUPPLY MANAGEMENT, INC. by JOHN R. MONTEMAYOR herein are dismissed with prejudice; and (2) all attorneys' fees, costs of court and expenses shall be borne by each party incurring the same.

IT IS SO ORDERED.

DATED: 6/20/13

By:



Hon. Richard Seeborg
United States District Judge