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 9 Brent Schafer and Todd Construction, Inc.

8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**  
 10 **SAN FRANCISCO DIVISION**

11 BRENT SCHAFFER and TODD  
 12 CONSTRUCTION, INC., an Oregon  
 13 corporation,

14 Plaintiffs,

15 v.

16 ASSOCIATION FOR SMALL,  
 17 CLOSELY HELD BUSINESSES, a  
 18 Delaware corporation; CRONIN  
 19 INSURANCE AGENCY, INC., a  
 20 California corporation; ESTATE OF  
 21 LAWRENCE D. CRONIN; KENNETH  
 22 FEHL; and CLARK LANGRALL, JR.,

23 Defendants.

Case No. C 13-00659 WHA

**JOINT STIPULATION TO DISMISS  
 DEFENDANT CLARKE LANGRALL, JR.  
 WITHOUT PREJUDICE**

CMC: May 9, 2013

21 WHEREAS, on February 14, 2013, plaintiffs filed the Complaint initiating this action, in  
 22 which plaintiffs alleged, among other things, that Clarke Langrall, Jr., erroneously sued as Clark  
 23 Langrall, Jr. ("Langrall"), was liable to plaintiffs for negligence;

24 WHEREAS, on March 28, 2013, Langrall filed his Motion to Dismiss, which was based  
 25 in part on alleged lack of personal jurisdiction;

26 WHEREAS, plaintiffs and Langrall wish to avoid additional motion practice related to  
 27 the issue of personal jurisdiction;

1 WHEREAS, Langrall has not filed an answer or a motion for summary judgment;

2 WHEREAS, plaintiffs and Langrall stipulate and agree that, pursuant to Rule 41(a) of the  
3 Federal Rules of Civil Procedure, Langrall will be dismissed from this action without prejudice;

4 THEREFORE, plaintiffs and Langrall hereby stipulate, through their counsel of record,  
5 that Clarke Lagrall, Jr., erroneously sued as Clark Langrall, Jr., is dismissed from this action  
6 without prejudice.

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SUSSMAN SHANK LLP

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By  /S/ \_\_\_\_\_  
Clifford S. Davidson

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Attorneys for Plaintiffs Brent Schafer and  
Todd Construction, Inc

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I hereby attest that I have on file all holographic signatures corresponding to any signatures  
14 indicated by a conformed signature (/S/) within this e-filed document.

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ADELBERG, RUDOW, DORF & HENDLER, LLC

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By  /S/ \_\_\_\_\_  
Andrew Radding

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Attorneys for Defendant  
Clarke Langrall, Jr.

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Defendant Langrall's motion to dismiss (Dkt. No. 19) is **Denied** as **Moot**.  
PURSUANT TO STIPULATION, IT IS SO ORDERED.

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April 22, 2013.

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Date



Judge William Alsup  
United States District Judge

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