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

17 **UNITED STATES DISTRICT COURT**  
 18 **NORTHERN DISTRICT OF CALIFORNIA**

20 BRIAN ODELL  
 21 Plaintiff,  
 22 v.  
 23 HOME DEPOT U.S.A., INC. a Delaware  
 24 corporation, and DOES 1-50, inclusive  
 25 Defendant.

Case No. 14-cv-00370-RS

**STIPULATION AND ~~PROPOSED~~ ORDER  
 TO VOLUNTARILY DISMISS ACTION  
 WITH PREJUDICE**

Complaint Filed: January 26, 2014  
 Trial Date: July 27, 2015

1 Plaintiff Brian Odell ("Plaintiff") and defendant Home Depot U.S.A., Inc. ("Defendant")  
2 hereby stipulate through their counsel of record that the above-captioned action be voluntarily  
3 dismissed with prejudice, without costs or fees awarded to either party, pursuant to the parties'  
4 settlement agreement in this matter.

5 **IT IS SO STIPULATED, BY AND THROUGH COUNSEL OF RECORD.**

6  
7 DATED: December 9, 2014

BISHOP | BARRY | DRATH

8  
9 By: /s/ Peter J. Linn  
Peter J. Linn

10 Attorneys for Plaintiff  
11 BRIAN ODELL

12  
13 DATED: December 9, 2014

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

14  
15 By: /s/ Gregory C. Cheng  
Gregory C. Cheng  
16 Brooke S. Purcell

17 Attorneys for Defendant  
18 HOME DEPOT U.S.A., INC.

19  
20  
21 **[PROPOSED] ORDER**

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

24 **IT IS SO ORDERED.**

25  
26 DATED: 12/9, 2014



27 The Honorable Richard Seeborg  
28 Judge of the United States District Court