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 A Limited Liability Partnership  
 2 Including Professional Corporations  
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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

THOMAS E. PEREZ, United States  
 Secretary of Labor,

Plaintiff,

v.

ANIMAL CLINIC OF ALAMO, INC., a  
 corporation; DEBORAH KNIBB, an  
 individual; JOHN C. BAINE, III, an  
 individual; and the ANIMAL CLINIC OF  
 ALAMO PROFIT SHARING PLAN, an  
 employee pension benefit plan,

Defendants.

Case No. 14-cv-00667 WHO

**STIPULATION AND ~~PROPOSED~~  
 ORDER RE DISMISSAL OF CROSS-  
 CLAIMS AND THIRD-PARTY  
 COMPLAINT WITHOUT PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 41(a), all parties who have appeared in  
 the action hereby stipulate that Deborah Knibb’s Counterclaim against John C. Baine, III  
 and her Third-Party Complaint against David J. Berlier are hereby DISMISSED  
 WITHOUT PREJUDICE with all parties to bear their own fees and costs.

1 Dated: March 4, 2015

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Respectfully submitted,

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SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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By

/s/Robert J. Guite

6

ROBERT J. GUITE

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Attorneys for Defendant

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DEBORAH KNIBB

9

/s/ Benjamin R. Botts

10 Dated: March 4, 2015

BENJAMIN R. BOTTS

11

Attorneys for Plaintiff

12

United States Department of Labor

13

14 Dated: March \_\_\_, 2015

JOHN C. BAINE, III, pro se

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17 Dated: March \_\_\_, 2015

DAVID J. BERLIER, pro se

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1 Dated: March \_\_\_\_, 2015

2 Respectfully submitted,

3 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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5 By

6 \_\_\_\_\_  
7 ROBERT J. GUTTE  
8 Attorneys for Defendant  
9 DEBORAH KNIBB

10 Dated: March \_\_\_\_, 2015

11 \_\_\_\_\_  
12 BENJAMIN R. BOTTS  
13 Attorneys for Plaintiff  
14 United States Department of Labor

15 Dated: March 4, 2015

16 \_\_\_\_\_  
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18 JOHN C. BAINE, III, *pro se*

19 Dated: March \_\_\_\_, 2015

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21 DAVID J. BERLIER, *pro se*  
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Dated: March \_\_, 2015

Respectfully submitted,

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By

\_\_\_\_\_  
ROBERT J. GUTE  
Attorneys for Defendant  
DEBORAH KNIBB

Dated: March \_\_, 2015

\_\_\_\_\_  
BENJAMIN R. BOTTS  
Attorneys for Plaintiff  
United States Department of Labor

Dated: March \_\_, 2015

\_\_\_\_\_  
JOHN C. BAINE, III, *pro se*

Dated: March 3, 2015

*David J. Berlier*  
\_\_\_\_\_  
DAVID J. BERLIER, *pro se*

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**ORDER**

Pursuant to the parties' stipulation, IT IS HEREBY ORDERED that Deborah Knibb's Counterclaim against John C. Baine, III and her Third-Party Complaint against David J. Berlier are dismissed without prejudice pursuant to Rule 41(a).

Dated: March 5, 2015



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HON. WILLIAM H. ORRICK  
UNITED STATES DISTRICT JUDGE