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10 Attorneys for Plaintiff
 11 MIDWEST TRANSPORT, INC.

12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

14 MIDWEST TRANSPORT, INC.,
 a Delaware Corporation,
 15
 Plaintiff,
 16
 v.
 17
 FCE BENEFIT ADMINISTRATORS, INC.,
 18 a California Corporation, and CALIFIA
 DEVELOPMENT CORP., d/b/a CDC
 19 Insurance Services, a California Corporation,
 20
 Defendants.

CASE NO. 4:07-cv-4408 (CW)
**JOINT STIPULATION AND ~~PROPOSED~~
 ORDER FOR DISMISSAL**
 Judge: The Honorable Claudia Wilken
 Courtroom: 2

21
 22 AND RELATED COUNTER- AND
 CROSS-CLAIMS.
 23

24 COMES NOW Plaintiff Midwest Transport, Inc., Defendant FCE Benefit Administrators,
 25 Inc., and Defendant Califia Development Corp. d/b/a CDC Insurance Services, through their
 26 undersigned counsel, and hereby dismiss all claims, counterclaims and cross-claims by and between
 27

1 all parties, in the above-referenced cause with prejudice, each party to bear its own costs and
2 attorneys' fees.

3 DATED: March 23, 2010

CARMODY MacDONALD P.C.

4
5 By: /s/ David P. Stoeberl
6 David P. Stoeberl
7 Meghan M. Lamping
8 Attorneys for Plaintiff and Counter-Defendant
9 Midwest Transport, Inc.

10 DATED: March 23, 2010

DLA PIPER LLP (US)

11 By: /s/ Carter W. Ott
12 Carter W. Ott
13 Attorneys for Plaintiff and Counter-Defendant
14 Midwest Transport, Inc.

15 DATED: March 23, 2010

FILICE, BROWN, EASSA & MCLEOD, LLP

16 By: /s/ Robert Eassa
17 Robert D. Eassa
18 Oliver Dunlap
19 Attorneys for Defendant, Counter-Plaintiff
20 and Cross-Defendant FCE Benefit
21 Administrators, Inc.

22 DATED: March 23, 2010

BISHOP BARRY DRATH, PC

23 By: /s/ John Drath
24 John Drath
25 Attorneys for Defendant and
26 Cross-Complainant Califia Development
27 Corp. d/b/a CDC Insurance Services

28 I, David P. Stoeberl, am the ECF user whose ID and password are being used to file this Joint
Stipulation and [Proposed] Order for Dismissal. In compliance with General Order 45, X.B.,
I hereby attest that Robert D. Eassa and John Drath have concurred in this filing.

~~PROPOSED~~ ORDER

1
2 Upon stipulation of the parties, all claims, counterclaims and cross-claims are hereby
3 dismissed with prejudice, each party to bear its own attorneys' fees and costs.

4 IT IS SO ORDERED:

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6 Dated: MARCH 25 , 2010

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The Honorable Claudia Wilken