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 16 BALLY TECHNOLOGIES, INC.

17 UNITED STATES DISTRICT COURT
 18 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 19 OAKLAND DIVISION

19	STEPHEN RACE,)	
20)	Case No. C 07-5475 CW
21	Plaintiff,)	
22	v.)	STIPULATION AND ORDER FOR
23	BALLY TECHNOLOGIES, INC., a Nevada)	DISMISSAL WITH PREJUDICE
24	Corporation,)	
25	Defendant.)	
26	_____)	

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 STIPULATION AND ORDER FOR DISMISSAL WITH PREJUDICE
 Case No. C 07-5475 CW

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IT IS HEREBY STIPULATED by and between parties to this action through their designated counsel that the above-captioned action be and hereby is dismissed with prejudice pursuant to FRCP 41(a)(1).

DATED: December 11, 2008

McGUINN, HILLSMAN & PALEFSKY
CLIFF PALEFSKY

By: /s/ Cliff Palefsky
Cliff Palefsky
Attorneys for Stephen Race

DATED: December 11, 2008

GIBSON, DUNN & CRUTCHER LLP
ETHAN D. DETTMER
JAIME D. BYRNES

By: /s/ Jaime D. Byrnes
Jaime D. Byrnes
Attorneys for Bally Technologies, Inc.

IT IS SO ORDERED.

 Claudia Wilken
Honorable Claudia Wilken

DATE: 2/25/09