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 CHRISTINE CLECAK  
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16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
 18

19 CHRISTINE CLECAK,  
 20 Plaintiff,

21 v.

22 APPLE COMPUTER, INC.'S SHORT AND  
 LONG TERM DISABILITY PLAN,  
 23 Defendant.  
 24

) Case No.: CV08-01987 WDB  
 )

) **STIPULATION OF DISMISSAL**  
 ) **WITH PREJUDICE AND**  
 ) **[PROPOSED] ORDER THEREON**  
 )

) Courtroom : 4  
 ) Honorable Wayne D. Brazil

) Filed : 4/16/2008

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 STIPULATION OF DISMISSAL WITH PREJUDICE AND [PROPOSED] ORDER THEREON  
 USDC NDCA Case #CV08-01987 WDB  
 404046.1

1           **IT IS HEREBY STIPULATED**, by and between the parties to this action, plaintiff  
2 Christine Clecak and defendant Apple Computer, Inc.'s Short and Long Term Disability Plan,  
3 acting through their attorneys of record, that the above-entitled action, and all claims for relief  
4 therein, shall be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a), with  
5 each party to bear its own costs and attorneys' fees.

6  
7 Date: January 8, 2009

WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER LLP

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10 By: /s/ Charan M. Higbee  
ADRIENNE C. PUBLICOVER  
CHARAN M. HIGBEE  
Attorneys for Defendant  
APPLE COMPUTER, INC.'S SHORT  
AND LONG TERM DISABILITY PLAN

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12  
13 Date: January 8, 2009

FRICKER & MELLEN & ASSOCIATES

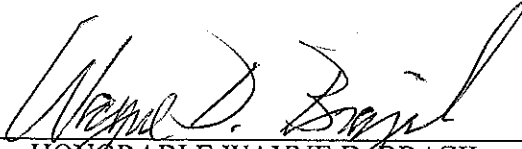
14  
15  
16 By: /s/ Timothy J. Fricker  
TIMOTHY J. FRICKER  
JAMES G. MELLEN  
KAREN L. CREECH  
Attorneys for Plaintiff  
CHRISTINE CLECAK

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19 **ORDER**

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21 The parties having stipulated that the above-entitled action, and all claims for relief  
22 therein, shall be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a), with  
23 each party to bear its own costs and attorneys' fees.

24 **IT IS SO ORDERED.**

25  
26 Date: 1/9/09

27 By:   
HONORABLE WAYNE D. BRAZIL  
UNITED STATES MAGISTRATE JUDGE