

1 Jack Silver, Esq. SB# 160575
 2 LAW OFFICE OF JACK SILVER
 3 Post Office Box 5469
 4 Santa Rosa, CA 95402-5469
 5 Tel. 707-528-8175
 6 Fax. 707-528-8675
 7 lhm28843@sbcglobal.net

8 Attorneys for Plaintiff
 9 NORTHERN CALIFORNIA RIVER WATCH

10 Marshall Bluestone, Esq. SB# 151632
 11 SENNEFF FREEMAN & BLUESTONE, LLP
 12 50 Old Courthouse Square, Suite 401
 13 Post Office Box 3729
 14 Santa Rosa, CA 95402
 15 Tel. 707-526-4250
 16 Fax. 707-526-0347
 17 mbluestone@sennefflaw.com

18 Attorney for Defendant
 19 WHITEY'S TBA, INC.

20 UNITED STATES DISTRICT COURT
 21 NORTHERN DISTRICT OF CALIFORNIA

22 NORTHERN CALIFORNIA RIVER
 23 WATCH, a non-profit corporation,

Case No. 4:10-cv-00534 PJH

24 Plaintiff,

**STIPULATION OF DISMISSAL OF
 WHITEY'S TBA, INC. AS PARTY
 DEFENDANT WITH PREJUDICE;
 [PROPOSED] ORDER
 [FRCP § 41(a)]**

25 v.

26 EXXON MOBIL CORPORATION;
 27 WHITEY'S TBA, INC.; KINNAIRD
 28 PROPERTIES, INC.; RICHARD B.
 STERN; SUSAN E. STERN;
 GILBERT P. FERREY, CHARLOTTE
 M. FERREY and JOHN S. HUMMER
 TRUST, and DOES 1 – 10, Inclusive,

Defendants.

1 Pursuant to FRCP 41(a)(1), IT IS HEREBY STIPULATED by and between plaintiff
2 NORTHERN CALIFORNIA RIVER WATCH, and defendant WHITEY'S TBA, INC., through
3 their designated counsel, that defendant WHITEY'S TBA, INC. be and hereby is dismissed as
4 a party defendant to the above-entitled action with prejudice. Each party agrees to bear its own
5 costs of suit.

6
7 DATED: April 6, 2011



JACK SILVER
Attorney for Plaintiff
NORTHERN CALIFORNIA RIVER WATCH

10
11 DATED: April 5, 2011



MARSHALL E. BLUESTONE
Attorney for Defendant
WHITEY'S TBA, INC.

15 **[PROPOSED] ORDER**

16 PURSUANT TO SAID STIPULATION,
17
18 **IT IS SO ORDERED.**

19 Dated: 4/14/11
20 _____

