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12 **UNITED STATES DISTRICT COURT**  
 13 **NORTHERN DISTRICT OF CALIFORNIA**  
 14 **OAKLAND DIVISION**

15 MICHAEL EVANS, ON BEHALF OF HIMSELF ) AND OTHER SIMILARLY SITUATED ) 16 EMPLOYEES, ) 17 ) PLAINTIFF, ) 18 ) V. ) 19 ) JOHNSON CONTROLS, INC., A WISCONSIN ) CORPORATION, AND DOES 1 THROUGH 50, ) 20 INCLUSIVE. ) 21 ) DEFENDANT. ) 22 ) 23 ) 24 ) 25 ) 26 ) 27 ) 28 )	Case No. 4:10-CV-01932 SBA <b>ORDER OF DISMISSAL</b>
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1 Pursuant to stipulation by and between Plaintiff Michael Evans (“Plaintiff”)  
2 and Defendant Johnson Controls, Inc. (“Defendant”), i.e., the parties to this action,  
3 through their designated counsel, the above-captioned action is dismissed in its  
4 entirety pursuant to Federal Rule of Civil Procedure 41(a)(1), as follows: (1)  
5 Plaintiff’s entire individual action (including all claims and allegations) is  
6 dismissed with prejudice; (2) the class allegations (including all claims) are  
7 dismissed without prejudice; (3) therefore, Plaintiff’s entire action is dismissed  
8 (whether on an individual basis, class basis, or otherwise).

9  
10 IT IS SO ORDERED.

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12 Dated: 1/31/11

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17 Hon. Sandra B. Armstrong  
18 UNITED STATES DISTRICT JUDGE  
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