

1 HANSON BRIDGETT LLP
 RAYMOND F. LYNCH - 119065
 2 rlynch@hansonbridgett.com
 MOLLY L. KABAN - 232477
 3 mlee@hansonbridgett.com
 425 Market Street, 26th Floor
 4 San Francisco, CA 94105
 Telephone: (415) 777-3200
 5 Facsimile: (415) 541-9366

6 Attorneys for Defendants
 BANK OF AMERICA GROUP BENEFITS PROGRAM,
 7 BANK OF AMERICA, N.A., BANK OF AMERICA
 CORPORATION CORPORATE BENEFITS
 8 COMMITTEE

9
 10 **UNITED STATES DISTRICT COURT**
 11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

12 OMID BEHJOU,

13 Plaintiff,

14 v.

15 BANK OF AMERICA GROUP
 16 BENEFITS PROGRAM, BANK OF
 AMERICA, N.A., BANK OF AMERICA
 17 CORPORATE BENEFITS
 COMMITTEE,

18 Defendants,

19 AETNA LIFE INSURANCE COMPANY,

20 Real Party In interest.
 21

No. CV 10 3982 SBA

**STIPULATION AND ORDER FOR
 DISMISSAL WITH PREJUDICE**

22 **PLEASE TAKE NOTICE:**

23 The parties hereto, Plaintiff Omid Behjou ("Plaintiff"), Defendants Bank of America
 24 Group Benefits Program, Bank of America, N.A., and Bank of America Corporate
 25 Benefits Committee ("the Bank Defendants") and Real-Party-In-Interest Aetna Life
 26 Insurance Company ("Aetna") (collectively, the "Parties"), by and through their attorneys
 27 of record, hereby enter into this Stipulation and [Proposed] Order for Dismissal with
 28 Prejudice.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RECITALS

WHEREAS, Plaintiff filed this lawsuit against the Bank Defendants and Aetna on September 3, 2012;

WHEREAS, on June 25, 2012, the Parties entered into a Settlement Agreement and General Release (the "Settlement Agreement") wherein the Parties agreed to settle all aspects of this lawsuit without admission of wrongdoing, liability or fault by any party;

Wherefore, the Parties, by and through their attorneys of record, hereby stipulate as follows:

- 1. that the above-captioned lawsuit be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).
- 2. that each Party shall bear its/his own costs and attorneys' fees.

IT IS SO STIPULATED.

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this e-filed document.

DATED: August 2, 2012

HANSON BRIDGETT LLP

By: /s/ Raymond F. Lynch
RAYMOND F. LYNCH
MOLLY L. KABAN
Attorneys for Defendants
BANK OF AMERICA GROUP
BENEFITS PROGRAM, BANK OF
AMERICA, N.A., BANK OF AMERICA
CORPORATION CORPORATE
BENEFITS COMMITTEE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: July 17, 2012

LAW OFFICES OF LAURENCE F.
PADWAY

By: /s/ Laurence F. Padway
LAURENCE F. PADWAY
Attorneys for Plaintiff
OMID BEHJOU

DATED: July 19, 2012

GORDON & REES LLP

By: /s/ Michelle L. Steinhardt
RONALD K. ALBERTS
MICHELLE L. STEINHARDT
Attorneys for Real Party In Interest
AETNA LIFE INSURANCE COMPANY

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The lawsuit against the Bank Defendants and Aetna is dismissed with prejudice.

Each side shall pay its/his own attorneys' fees and costs.

DATED: August 9 2012

By: *Saundra B. Armstrong*
SAUNDRA BROWN ARMSTRONG
United States District Judge