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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

11	PAUL BENSI, BART FLORENCE, JERRY)	No. C 11-03875 YGR
	KALMAR, and LYLE SETTER, in their)	
12	capacities as Trustees of the STATIONARY)	
	ENGINEERS LOCAL 39 PENSION TRUST)	STIPULATION FOR DISMISSAL;
13	FUND; STATIONARY ENGINEERS LOCAL)	[PROPOSED] ORDER
	39 HEALTH AND WELFARE TRUST FUND;)	
14	and STATIONARY ENGINEERS LOCAL 39)	
	ANNUITY TRUST FUND,)	
15)	
	Plaintiffs,)	
16)	
	v.)	
17	LITKE PROPERTIES, INC., a California)	
18	Corporation,)	
)	
19	Defendant.)	

21 Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the parties,
 22 Plaintiffs Paul Bensi, Bart Florence, Jerry Kalmar, and Lyle Setter, in their capacities as Trustees
 23 of the Stationary Engineers Local 39 Pension Trust Fund, Stationary Engineers Local 39 Health
 24 and Welfare Trust Fund, and the Stationary Engineers Local 39 Annuity Trust Fund and Defendant
 25 Litke Properties, Inc., by and through the undersigned counsel, hereby stipulate to the dismissal
 26 without prejudice of Plaintiff's Complaint for an Injunction, Breach of Contract, and Damages
 27 According to Proof against Defendant, who has appeared in this action. Further, the parties

1 stipulate and agree that each side is to bear their own attorneys' fees and costs.

2 Dated: July 27, 2012

3 WEINBERG, ROGER & ROSENFELD
4 A Professional Corporation

5 By: /s/ Linda Baldwin Jones
6 LINDA BALDWIN JONES
7 EZEKIEL D. CARDER
8 Attorneys for Plaintiffs

9 Dated: July 27, 2012

10 ABRAHAM LAW OFFICES

11 By: /s/ A.K. Abraham
12 A.K. ABRAHAM
13 Attorneys for Defendant

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~~[PROPOSED]~~ ORDER

IT IS SO ORDERED

Dated: July 30, 2012



HONORABLE YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

128627/677319