

1 CALVIN E. DAVIS (SBN: 101640)
 AARON P. RUDIN (SBN: 223004)
 2 GORDON & REES LLP
 633 West Fifth Street, Suite 5200
 3 Los Angeles, CA 90071
 Telephone: (213) 576-5000
 4 Facsimile: (213) 680-4470
 e-mails: cdavis@gordonrees.com;
 5 arudin@gordonrees.com

RECEIVED

COURT OF APPEALS
NORTHERN DISTRICT OF CALIFORNIA

6 Attorneys for Defendant BETTER HOMES
 AND GARDENS REAL ESTATE LLC
 7

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 MARK MANNING and BROOK A.
 11 WORKENEH,

Plaintiffs,

v.

14 CITY OF SAN RAMON; SAN RAMON
 POLICE DEPARTMENT; MIKE BOEHRER,
 15 an individual; ALBERT LI, an individual;
 BETTER HOMES AND GARDENS REAL
 16 ESTATE LLC; BETTER HOMES AND
 GARDENS REAL ESTATE/MASON-
 17 MCDUFFIE (THE BAYHILL TEAM); JIM
 KEHRIG, an individual; STEVE KEHRIG, an
 18 individual; and DOES 1-100, inclusive,

Defendants.

CASE NO. C 12-00320 DMR

**[PROPOSED] ORDER GRANTING
 STIPULATION TO DISMISS THE
 COMPLAINT SOLELY AS TO
 DEFENDANT BETTER HOMES AND
 GARDENS REAL ESTATE LLC**

Complaint filed: October 21, 2011
 Removal filed on January 20, 2012

Gordon & Rees LLP
 633 West Fifth Street
 Suite 5200
 Los Angeles, CA 90071

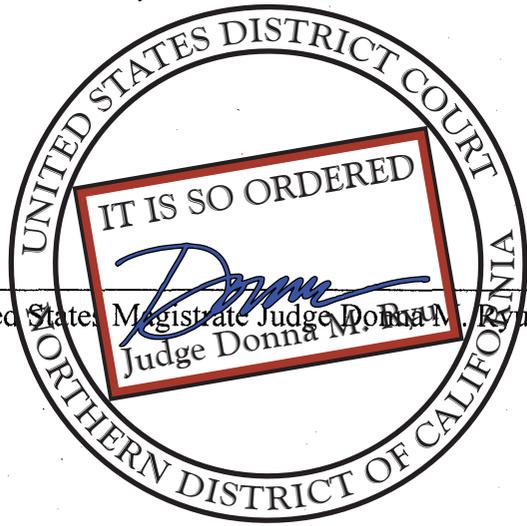
21 Having read and duly considered the Stipulation to Dismiss the Complaint Solely as to
 22 Defendant Better Homes & Gardens Real Estate, LLC, and finding good cause therefore, the
 23 Court hereby Orders pursuant to Rule 41(a) of the Federal Rules of Civil Procedure:

24 Plaintiffs Mark Manning and Brook A. Workeneh's First Amended Complaint filed on
 25 or about December 20, 2011 and removed to the above-captioned court on January 20, 2012, is
 26 hereby dismissed without prejudice as to defendant Better Homes & Gardens Real Estate, LLC,
 27
 28

1 only. The April 12, 2012 hearing date for the Motion to Dismiss and Motion to Strike filed by
2 defendant Better Homes & Gardens Real Estate, LLC is hereby vacated as moot.

3 IT IS SO ORDERED.

4
5 DATED: February 29, 2012



United States Magistrate Judge Donna M. Ryan
Judge Donna M. Ryan

Gordon & Rees LLP
633 West Fifth Street
Suite 5200
Los Angeles, CA 90071

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