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Attorneys for Plaintiff

8 **UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA**
 9 **OAKLAND DIVISION**

11 JEFFREY A. KAISER,
 12 Plaintiff,
 13 vs.
 14 BMW OF NORTH AMERICA, LLC; and
 15 COUNCIL OF BETTER BUSINESS
 BUREAUS, INC.,
 16 Defendants.

Case No: C12-01311 DMR

STIPULATION AND [~~PROPOSED~~] ORDER OF DISMISSAL WITH PREJUDICE

DEFENDANT COUNCIL OF BETTER BUSINESS BUREAUS, INC. ONLY

18
 19 **IT IS STIPULATED** that plaintiff's claims against defendant Council of Better Business
 20 Bureaus, Inc. shall be dismissed with prejudice, each party to bear its own fees and costs.

22 Dated: May 20, 2013

KAISER GORNICK LLP

23 /s/ Dennis J. Canty
 24 LAWRENCE J. GORNICK
 DENNIS J. CANTY
 25 NICHOLAS A. DEMING

26 Attorneys for Plaintiff
 27 JEFFREY A. KAISER

1 Dated: May 20, 2013

**HAYES, SCOTT, BONINO, ELLINGSON
& McLAY, LLP**

2
3 /s/ Dara M. Tang
STEPHEN A. SCOTT
4 DARA M. TANG
Attorneys for Defendant
5 COUNCIL OF BETTER BUSINESS BUREAUS, INC.

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7 **IT IS SO ORDERED.**

8
9 Dated: May 21, 2013



10 Hon. Donna M. Ryu
11 United States Magistrate Judge