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 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN JOSE DIVISION

12 GARY NIVA and ALINKA NIVA, as)
 Administrators of the Estate of ERIC)
 13 AUSTIN NIVA, deceased,)
 14 Plaintiffs,)
 15 v.)
 16 UNITED STATES OF AMERICA,)
 DEPARTMENT OF THE INTERIOR,)
 17 BUREAU OF LAND MANAGEMENT,)
 18 Defendants.)
 19 _____)

No. C 03-0908 RS

**STIPULATION OF DISMISSAL;
~~PROPOSED~~ ORDER**

20 The parties to this action, through their attorneys of record, hereby stipulate and agree that
 21 the above-referenced action is voluntarily dismissed with prejudice pursuant to Federal Rules of
 22 Civil Procedure, Rule 41(a), and pursuant to the Stipulation for Compromise Settlement and
 23 Release of Federal Tort Claims Act Claims Pursuant to 28 U.S.C. §2677, entered into by the
 24 parties to this action. All parties will bear their own costs, fees, and expenses. Upon entry of the
 25 order approving this dismissal, the District Court shall not retain jurisdiction over this action, the
 26 settlement, or any other matter pertaining to this action or the settlement.

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STIPULATION OF DISMISSAL; [PROPOSED] ORDER
 C 03-0908 RS


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Respectfully submitted,

JOSEPH P. RUSSONIELLO
UNITED STATES ATTORNEY

DATED: March 18, 2010

BY:


Claire T. Cormier
Assistant United States Attorney
Attorney for Defendant,
United States of America

THE BOCCARDO LAW FIRM LLP

DATED: _____, 2010

BY:

JOHN C. STEIN
Attorney for Plaintiff

~~PROPOSED~~ ORDER

Upon stipulation of the parties and good cause appearing, IT IS SO ORDERED.

DATED: March 18, 2010



RICHARD SEEBORG
United States District Court Judge