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5 Attorneys for Plaintiffs and Cross-Defendants
 ROBERT SCHMIDT and THOMAS WALSH

E-FILED - 12/11/08

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

12 ROBERT SCHMIDT and THOMAS
 WALSH,

NO. C-04-01026 (RMW)

13 Plaintiffs,

14 vs.

**STIPULATION OF DISMISSAL
 WITH PREJUDICE OF THE
 COMPLAINT AND CROSS-ACTION
 PURSUANT TO FEDERAL RULE OF
 CIVIL PROCEDURE 41(a)(1)(A)(ii)
 AND ORDER**

15 LEVI STRAUSS & CO., LAURA LING,
 16 and DOES 1-50, inclusive,

17 Defendants.

18 AND RELATED CROSS-ACTION
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 21
 22 WHEREAS, a Settlement Agreement was reached on the record between Plaintiffs and
 23 Cross-Defendants ROBERT SCHMIDT and THOMAS WALSH and Defendant and Cross-
 24 Complainant, LEVI STRAUSS & CO., and

25 WHEREAS, the parties wish to dismiss their respective actions in light of the
 26 settlement which was reached before Honorable Magistrate, Howard R. Lloyd,

27 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE that given the

28
 Stipulation of Dismissal With Prejudice of the Complaint and Cross-Action Pursuant to Federal Rule of Civil
 Procedure 41(a)(1)(A)(ii)
 Case No. C-04-01026 (RMW)

1 settlement, that the complaint and cross action should be dismissed with prejudice.

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IT IS SO STIPULATED.

Dated: November 5, 2008.

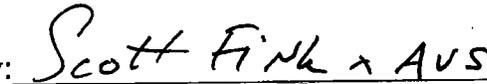
MORGAN, FRANICH, FREDKIN & MARSH

By: 
MARK B. FREDKIN, ESQ.
WILLIAM SIAMAS, ESQ.
Attorneys for Plaintiffs and Cross-Defendants
ROBERT SCHMIDT and THOMAS WALSH

IT IS SO STIPULATED.

Dated: November 30, 2008.

GIBSON, DUNN & CRUTCHER LLP

By: 
SCOTT A. FINK
AUSTIN V. SCHWING
Attorneys for Defendant and Cross-Complainant
LEVI STRAUSS & CO.

ORDER

IT IS SO ORDERED.

DATED: 12/11/08


HON. RONALD M. WHYTE
UNITED STATES DISTRICT COURT JUDGE