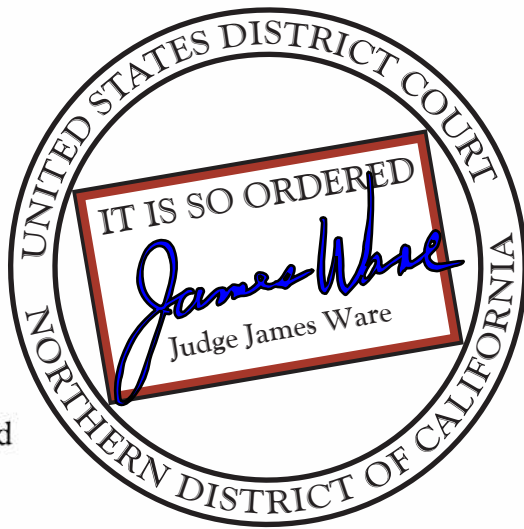


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6 Attorneys for Third-Party Defendants/
 7 Counterclaimants Waldo Simons, individually, and
 8 formerly dba Simons Bulldozing Service, and
 9 The Waldo and Helen Simons Family Trust

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

12 In re BRIDGESTONE AMERICAS TIRE
 13 OPERATIONS Litigation.

Case No. C06 06837 JW (RS)

**STIPULATION TO DISMISS WALDO
 SIMONS' COUNTERCLAIM AGAINST
 BRIDGESTONE AMERICAS, INC.,
 SUED HEREIN AS BRIDGESTONE
 AMERICAS HOLDING, INC., AND
 BRIDGESTONE AMERICAS TIRE
 OPERATIONS, LLC SUED HEREIN AS
 BRIDGESTONE/FIRESTONE NORTH
 AMERICAN TIRE, LLC; AND ORDER
 THEREON**

21 IT IS HEREBY STIPULATED by and between the parties to this action, and through their
 22 designated counsel, that Counterclaimants WALDO SIMONS, INDIVIDUALLY, AND
 23 FORMERLY DBA SIMONS BULLDOZING SERVICE, and THE WALDO AND HELEN
 24 SIMONS FAMILY TRUST's Counterclaim filed on November 29, 2006 against Defendant
 25 BRIDGESTONE AMERICAS, INC., sued herein as BRIDGESTONE AMERICAS HOLDING,
 26 INC., and Defendant BRIDGESTONE AMERICAS TIRE OPERATIONS, LLC sued herein as
 27 BRIDGESTONE/FIRESTONE NORTH AMERICAN TIRE, LLC be, and hereby is, dismissed
 28

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1 without prejudice, pursuant to FRCP 41(a) (1). Each party will bear its own attorney's fees and
2 costs.

3 Dated: June 30, 2009

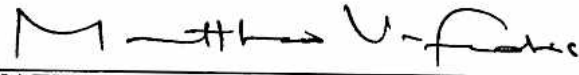
4 PRATT & ASSOCIATES

5
6 

7 SHARON GLENN PRATT
8 Attorneys for Third-Party
9 Defendants/Counterclaimants Waldo Simons,
10 individually, and formerly dba Simons Bulldozing
11 Service, and The Waldo and Helen Simons Family
12 Trust

11 Dated: July 1, 2009

12 HOLLAND & KNIGHT LLP

13
14 

15 MATTHEW VAFIDIS
16 Attorneys for Defendants/Third-Party Plaintiffs
17 Bridgestone Americas, Inc., sued herein as
18 Bridgestone Americas Holding, Inc., and
19 Bridgestone Americas Tire Operations,
20 LLC sued herein as Bridgestone/Firestone
21 North American Tire, LLC

19 Dated: _____, 2009

21 COTCHETT, PITRE & McCARTHY

23 STEVEN N. WILLIAMS
24 Attorneys for Plaintiffs/Counter-Defendants

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without prejudice, pursuant to FRCP 41(a) (1). Each party will bear its own attorney's fees and costs.

Dated: June ____, 2009

PRATT & ASSOCIATES

SHARON GLENN PRATT
Attorneys for Third-Party
Defendants/Counterclaimants Waldo Simons,
individually, and formerly dba Simons Bulldozing
Service, and The Waldo and Helen Simons Family
Trust

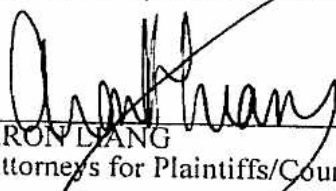
Dated: _____, 2009

HOLLAND & KNIGHT LLP

MATTHEW VAFIDIS
Attorneys for Defendants/Third-Party Plaintiffs
Bridgestone Americas, Inc., sued herein as
Bridgestone Americas Holding, Inc., and
Bridgestone Americas Tire Operations,
LLC sued herein as Bridgestone/Firestone
North American Tire, LLC

Dated: July 20, 2009

COTCHETT, PITRE & McCARTHY

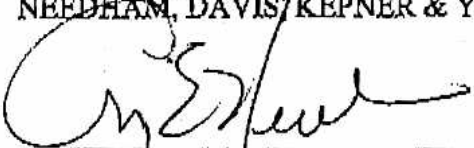


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Dated: 7/1, 2009

NEEDHAM, DAVIS/KEPNER & YOUNG

CRAIG E. NEEDHAM
Attorneys for Plaintiffs

Dated: _____, 2009

CITY OF SALINAS
OFFICE OF THE CITY ATTORNEY

VANESSA WENDENBURG VALLARTA
Third-Party Defendant City of Salinas

Dated: _____, 2009

LAW OFFICES OF THOMAS A. BRUEN

THOMAS M. BRUEN
Attorneys for Third-Party Defendants Salinas Valley
Solid Waste Authority and City of Salinas

ORDER

IT IS SO ORDERED.

Dated:

JAMES WARE
UNITED STATES DISTRICT JUDGE

Pratt & Associates

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1 Dated: _____, 2009

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2

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CRAIG E. NEEDHAM
Attorneys for Plaintiffs

5

6 Dated: 6/30, 2009

CITY OF SALINAS
OFFICE OF THE CITY ATTORNEY

7

8

9

10

Susan J. Matham for Vanessa Wendenburg Vallarta

VANESSA WENDENBURG VALLARTA
Third-Party Defendant City of Salinas

11

12

Dated: _____, 2009

LAW OFFICES OF THOMAS A. BRUEN

13

14

15

16

THOMAS M. BRUEN
Attorneys for Third-Party Defendants Salinas Valley
Solid Waste Authority and City of Salinas

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ORDER

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22 IT IS SO ORDERED.

23

24 Dated:

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JAMES WARE
UNITED STATES DISTRICT JUDGE

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Dated: _____, 2009

NEEDHAM, DAVIS, KEPNER & YOUNG

CRAIG E. NEEDHAM
Attorneys for Plaintiffs

Dated: _____, 2009

CITY OF SALINAS
OFFICE OF THE CITY ATTORNEY

VANESSA WENDENBURG VALLARTA
Third-Party Defendant City of Salinas

Dated: July 2, 2009

LAW OFFICES OF THOMAS A. BRUEN

Thomas Bruen
THOMAS M. BRUEN
Attorneys for Third-Party Defendants Salinas Valley
Solid Waste Authority and City of Salinas

ORDER

IT IS SO ORDERED.

Dated: July 29, 2009

James Ware
JAMES WARE
UNITED STATES DISTRICT JUDGE

Pratt & Associates

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