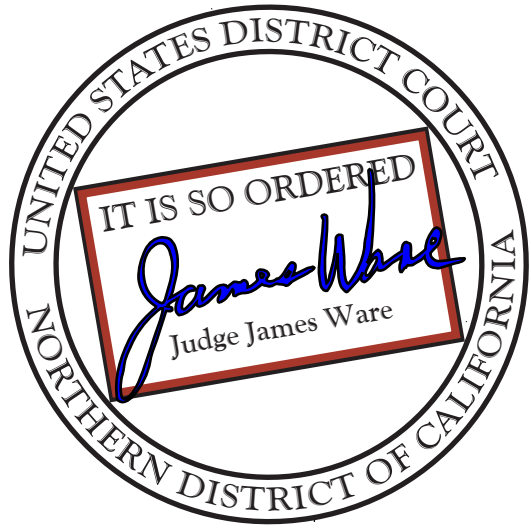


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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE BRIDGESTONE AMERICAS TIRE  
OPERATIONS LITIGATION

) Case No. 5:06-cv-6837 JW  
)  
) **STIPULATION RE: ENTRY OF**  
) **JUDGMENT DISMISSING ACTION**  
) **WITH PREJUDICE**  
) **AND COURT ORDER**  
)  
) **Rule 41, Federal Rules**  
)  
)

---

IT IS HEREBY STIPULATED by Plaintiffs herein, and each of them, by and through their counsel of record, and Defendant BRIDGESTONE AMERICAS TIRE OPERATIONS, LLC (hereinafter, "Defendant") and Third Party Defendants The CITY OF SALINAS and the SALINAS VALLEY SOLID WASTE AUTHORITY (hereinafter, "Third Party Defendants"), by and through their respective counsel of record, that as follows:

1 1. Despite years of diligent investigation costing hundreds of thousands of dollars,  
2 based on drilling and well sampling, **Plaintiffs** have not identified and are not aware of any  
3 evidence showing that any substances disposed of at any time by or on behalf of Firestone at the  
4 Landfill have migrated in water beyond the current boundaries of the Landfill..

5 2. Plaintiffs, Defendants and Third Party Defendants hereby stipulate to a voluntary  
6 dismissal with prejudice of the Plaintiffs' Complaint herein, specifically the Amended Consolidated  
7 Complaint filed herein on June 25, 2009, with each party to bear its, his or her own costs, including  
8 attorneys' fees.

9 3. This stipulated dismissal with prejudice does not affect the Third Party Complaint  
10 herein.

11 4. Under the circumstances, the parties respectfully request that this Court enter an  
12 Order dismissing the Plaintiffs' Amended Consolidated Complaint herein with prejudice.

13  
14 SO STIPULATED:

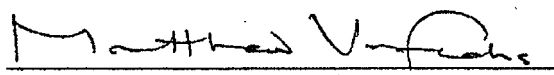
15 Dated: *Jan. 25*, 2010

COTCHETT PITRE & McCARTHY  
NEEDHAM, KEPNER, FISH & JONES LLP

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20 Craig Needham  
Attorneys for Plaintiffs

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22 Dated: *January 15*, 2010

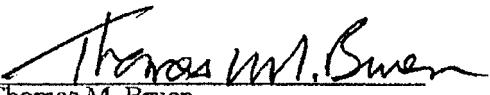
HOLLAND & KNIGHT LLP

23  
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27 Matthew P. Vafidis  
Attorneys for Defendants  
BRIDGESTONE AMERICAS TIRE  
OPERATIONS, LLC

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Dated: Jan 18, 2010


CITY OF SALINAS,  
OFFICE OF CITY ATTORNEY  
LAW OFFICES OF THOMAS M. BRUEN

  
Thomas M. Bruen  
Attorneys for Third Party Defendants  
CITY OF SALINAS  
SALINAS VALLEY SOLID WASTE  
AUTHORITY

SO ORDERED:

The Amended Consolidated Complaint filed by Plaintiffs herein is hereby dismissed with prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure.

Dated: January 26, 2010

  
JAMES WARE  
United States District Judge