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6 **IN THE UNITED STATES DISTRICT COURT FOR THE**
 7 **NORTHERN DISTRICT OF CALIFORNIA**
 8 **SAN JOSE DIVISION**

9 **UNITED STATES OF AMERICA, et al.,) Case No. C-07-04234-JW**
 10 **Plaintiffs,)**
 11 **v.)**
 12 **PAUL J. SHOLTZ,)**
 13 **Defendant.)**
 14 _____

STIPULATION TO DISMISS AND ORDER

15 For the reason that defendant Paul J. Sholtz has complied with the Internal Revenue Service
 16 summonses at issue in this matter, it is hereby stipulated by and between plaintiffs and defendant,
 17 through the undersigned counsel, that this matter be dismissed with prejudice, each to bear their own
 18 costs and attorneys' fees.

19 JOSEPH P. RUSSONIELLO
 United States Attorney

20
 21 /s/ Guyton Jinkerson
 GUYTON JINKERSON
 22 Attorney for Defendant Paul J. Sholtz

/s/ Thomas Moore
 THOMAS MOORE
 Assistant United States Attorney
 Tax Division
 Attorneys for Plaintiffs

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The Clerk shall close this file.

26 Dated: October 22, 2008

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 28 _____
 UNITED STATES DISTRICT JUDGE