

Sep. 19. 2008 11:57AM
09-16-08 14:26 From-LITTLER MENDELSON

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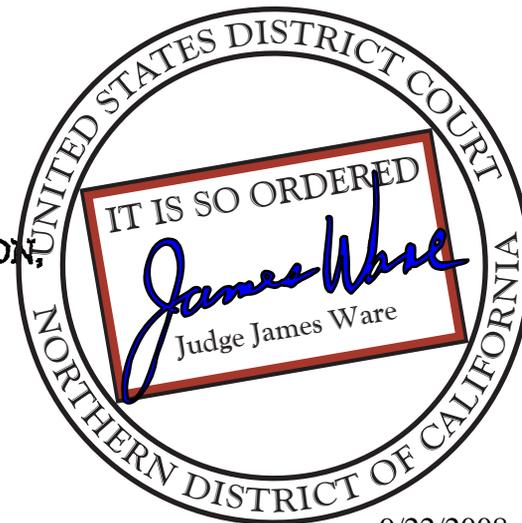
No. 8573 P. 2
T-530 P.003/005 F-119

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9 DISH NETWORK CALIFORNIA SERVICE CORPORATION,
10 A Colorado Corporation, (sued erroneously herein as
11 "ECHOSTAR, DBA DISH NETWORK)

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18 Attorney for Plaintiff
19 JOHN ALLIEU



9/22/2008

20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA
22 SAN JOSE DIVISION

23 JOHN ALLIEU,

24 Plaintiff,

25 v.

26 ECHOSTAR dba DISH NETWORK A
27 Colorado Corporation, and DOES 1
28 through 50, inclusive,

Defendants.

Case No. C 07-05609 JW

STIPULATED DISMISSAL OF ACTION
WITH PREJUDICE AND [PROPOSED]
ORDER DISMISSING ENTIRE ACTION
WITH PREJUDICE

WHEREAS the parties to this action have fully and finally resolved all issues set forth in this case. IT IS HEREBY STIPULATED by and between the parties to this action that the above-captioned action be and hereby is dismissed in its entirety with prejudice as to all Defendants pursuant to Fed. R. C. P. 41(a)(1).

IT IS FURTHER STIPULATED by and between the parties that each party shall bear their own attorneys' fees and costs of suit, and that Defendant shall withdraw its motion for sanctions,

CASE NO. C 07-05609 JW
Firmwide:86668446.1 049145.1005

STIPULATED DISMISSAL OF ACTION AND
[PROPOSED] ORDER

1 currently scheduled to be heard on September 23, 2008.

2 Dated: September 19, 2008



NEDA N. DAL CIELO
LITTLER MENDELSON
A Professional Corporation
Attorneys for Defendant
EHOSTAR

7 Dated: September 18, 2008



FRANK E. MAYO
Attorney for Plaintiff

10 Dated: September 18, 2008



JOHN ALLIEU, Plaintiff

14 **IT IS SO ORDERED:**

15 The Court GRANTS the Stipulation of Dismissal WITH PREJUDICE. The Motion to Withdraw
16 Attorney (Docket Item No. 30) and Motion for Substitution of Attorney (Docket Item No. 34) are
found as moot.

18 The Court terminates all other pending deadlines, hearings and motions are also terminated. The
Clerk shall close this file.

20 Dated: September 22, 2008


United States District Judge James Ware

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JOHN ALLIEU,

Plaintiff,

v.

EHOSTAR dba DISH NETWORK A
Colorado Corporation, and DOES 1
through 50, inclusive,

Defendants.

Case No. C 07-05609 JW

**[PROPOSED] ORDER DISMISSING
ENTIRE ACTION WITH PREJUDICE**

ORDER

In consideration of the stipulation of the parties and good cause appearing, IT IS HEREBY ORDERED as follows: THE ABOVE-CAPTIONED ACTION IS HEREBY DISMISSED WITH PREJUDICE IN ITS ENTIRETY AND THE HEARING ON DEFENDANT'S MOTION TO COMPEL AND FOR SANCTIONS IS VACATED.

Dated: _____

The Honorable James Ware
United States District Court Judge