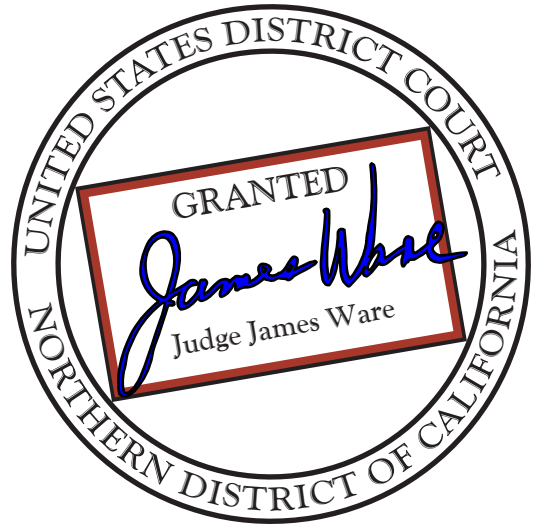


1 KATHLEEN E. FINNERTY (SBN 157638)  
 2 MARC B. KOENIGSBERG (SBN 204265)  
 3 GREENBERG TRAUIG, LLP  
 4 1201 K Street, Suite 1100  
 Sacramento, CA 95814  
 5 Tel: (916) 442-1111  
 Fax: (916) 448-1709  
 FinnertyK@gtlaw.com  
 KoenigsbergM@gtlaw.com



6 Attorneys for Defendant  
 7 W2005 NEW CENTURY  
 8 HOTEL PORTFOLIO, L.P.

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA

13 ROBERT MCCARTHY,  
 14 Plaintiff,  
 15 vs.  
 16 W2005 NEW CENTURY HOTEL  
 17 PORTFOLIO, L.P., and DOES 1-10,  
 18 inclusive,  
 19 Defendants.

CASE NO. C07-05859-JW  
**STIPULATED DISMISSAL**

20 ///  
 21 ///  
 22 ///  
 23 ///  
 24 ///  
 25 ///  
 26 ///  
 27 ///

28

1  
 STIPULATED DISMISSAL

1 IT IS HEREBY STIPULATED, by and between the parties to this action, through their  
2 respective counsel, that this action be dismissed with prejudice pursuant to Rule 41(a)(1) of the  
3 Federal Rules of Civil Procedure. The parties shall each bear their own respective attorney's  
4 fees and costs in connection with this action.

5 DATED: January 21, 2009 GREENBERG TRAUERIG, LLP

6  
7 By: Marc B. Koenigsberg  
8 KATHLEEN E. FINNERTY  
9 MARC B. KOENIGSBERG  
10 Attorney for Defendant  
11 W2005 NEW CENTURY HOTEL PORTFOLIO, L.P.

12 DATED: January 20, 2009

13  
14 By: David Wakefield  
15 DAVID WAKEFIELD  
16 Attorney for Plaintiff  
17 ROBERT MCCARTHY

18  
19 **IT IS SO ORDERED:**

20 The Court terminates all pending deadlines, hearings and motions. The Clerk shall close this  
21 file.

22 Dated: February 6, 2009

23 James Wake  
24 United States District Judge  
25  
26  
27  
28