

1 STEPHENSON, ACQUISTO & COLMAN  
2 JOY YOUNG STEPHENSON, ESQ. (SBN 113755)  
3 BARRY SULLIVAN, ESQ. (SBN 136571)  
4 KARLENE J. ROGERS-ABERMAN, ESQ. (SBN 237883)  
5 303 N. Glenoaks Blvd., Suite 700  
6 Burbank, CA 91502

7 Telephone: (818) 559-4477  
8 Facsimile: (818) 559-5484

9 Attorneys for Plaintiff  
10 STANFORD HOSPITAL AND CLINICS

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN JOSE DIVISION

14 STANFORD HOSPITAL AND  
15 CLINICS,  
16 Plaintiff,

17 vs.

18 EMPLOYEE BENEFIT  
19 MANAGEMENT SERVICES, INC. a  
20 Montana Corporation, RAVALLI  
21 COUNTY, a political subdivision of the  
22 State of Montana, and Does 1-50,  
23 inclusive,  
24 Defendants.

Case No.: CO8-00538 (JW)

25 **STIPULATION OF DISMISSAL  
26 WITH PREJUDICE**

27 **[F.R.C.P. 41(a)(1)]**

28 IT IS HEREBY STIPULATED by and between the parties to this  
action through their designated counsel that the above-captioned action be and  
hereby is dismissed with prejudice pursuant to F.R.C.P. 41(a)(1).

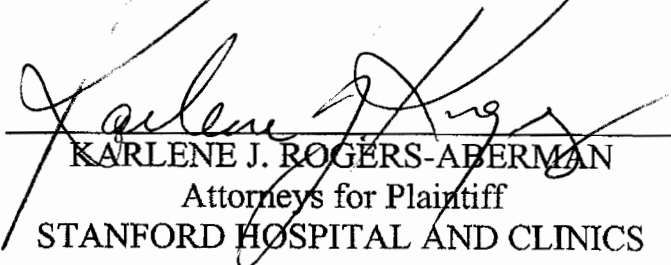
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IT IS FURTHER STIPULATED that this dismissal is intended to encompass any and all claims plaintiff Stanford Hospital and Clinics ("Plaintiff") could have asserted against the Montana Joint Powers Trust relating to the facts alleged in Plaintiff's complaint, and Plaintiff hereby waives any and all rights to assert any such claims in consideration of the parties' mutual promises contained herein.

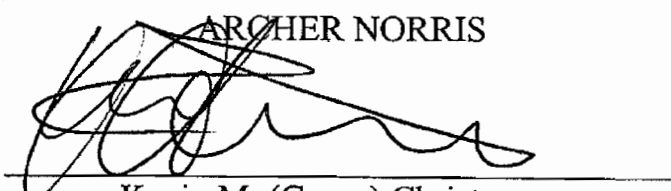
Pursuant to this dismissal, each of the parties waives its rights to reimbursement of costs, attorneys' fees, and any other expenditures incurred by them in connection with this matter.

Dated: July 7, 2009

STEPHENSON, ACQUISTO & COLMAN

  
KARLENE J. ROGERS-ABERMAN  
Attorneys for Plaintiff  
STANFORD HOSPITAL AND CLINICS

Dated: July 7, 2009

ARCHER NORRIS  
  
Kevin M. (Casey) Christensen  
Attorneys for Defendant  
EMPLOYEE BENEFIT MANAGEMENT  
SERVICES, INC. and RAVALLI  
COUNTY

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

STANFORD HOSPITAL AND  
CLINICS,

Plaintiff,

vs.

EMPLOYEE BENEFIT  
MANAGEMENT SERVICES, INC. a  
Montana Corporation, RAVALLI  
COUNTY, a political subdivision of the  
State of Montana, and Does 1-50,  
inclusive,

Defendants.

Case No.: CO8-00538 (JW)

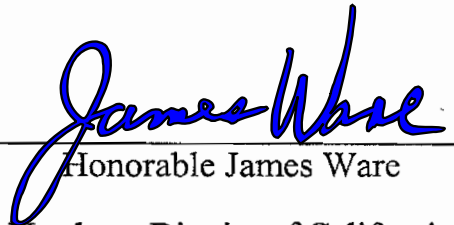
**[PROPOSED] ORDER FOR  
STIPULATION OF DISMISSAL**

**ORDER**

Pursuant to the Stipulation of Dismissal With Prejudice between Plaintiff STANFORD HOSPITAL AND CLINICS (“Stanford Hospital”) and Defendants EMPLOYEE BENEFIT MANAGEMENT SERVICES, INC. and RAVALLI COUNTY, it is hereby ORDERED that this matter, including any and all claims which could have been asserted by Stanford Hospital against the Montana Joint Powers Trust relating to the facts alleged in the complaint, be, and the same hereby is, dismissed with prejudice.

The Court terminates any remaining pending deadlines, hearings and motions. The clerk shall close this file.

Dated: July 10, 2009



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Honorable James Ware  
Northern District of California  
San Jose Division

