

ORDER E-FILED 4/16/2009

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 ROCKWELL AUTOMATION, INC.

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 8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**
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11 ROWLAND PUGH,
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 Plaintiff,
 13 vs.
 14 BESSER COMPANNY, a Michigan
 corporation, ROCKWELL AUTOMATION,
 15 a Wisconsin corporation, et al.,
 16
 Defendants.
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Case No. C08-01014-HRL

**STIPULATION AND ORDER
 DISMISSING CERTAIN CLAIMS
 IN FIRST AMENDED COMPLAINT
 FOR DAMAGES**

18 IT IS HEREBY STIPULATED by and between the parties hereto, through their
 19 respective counsel of record, that plaintiff Rowland Pugh shall dismiss, with prejudice, each
 20 of the following claims alleged in his First Amended Complaint For Damages ("Complaint")
 21 on file in the above-entitled action, each party to bear its own costs and fees:

22 1. Any and all claims for manufacturing defect alleged in the First Cause of
 23 Action of said Complaint;

24 2. Any and all claims for manufacturing defect alleged in the Second Cause of
 25 Action of said Complaint; and

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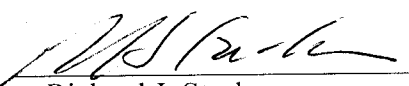
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1 4. The Third Cause of Action for breach of express and implied warranties, in its
2 entirety, of said Complaint.

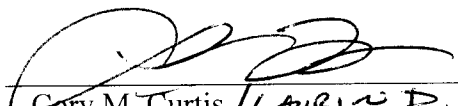
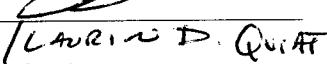
3 Dated: 4/13, 2009

LAW OFFICES OF RICHARD J. STASKUS

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6 By: 
Richard J. Staskus
Attorney for Plaintiff

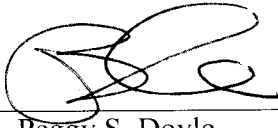
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8 Dated: 4/14, 2009

BAKER & HOSTETLER LLP

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10 By: 
Cory M. Curtis / 
Attorneys for Defendant
BESSER COMPANY

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13 Dated: 4-14, 2009


TUCKER ELLIS & WEST LLP

14
15 By: 
Peggy S. Doyle
Attorneys for Defendant
ROCKWELL AUTOMATION, INC.

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19 **ORDER**

20 Pursuant to stipulation of the parties, and good cause appearing therefor,
21 IT IS HEREBY ORDERED that all claims for manufacturing defect alleged in the First
22 and Second Causes of Action of the Complaint and all claims in the Third Cause of Action of the
23 Complaint are dismissed, with prejudice, each party to bear its own costs and fees.

24 DATED: April 16, 2009

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Honorable Howard R. Lloyd
Magistrate Judge of the United States
District Court, Northern District of California