

1 Fred W. Schwinn (SBN 225575)
 2 CONSUMER LAW CENTER, INC.
 3 12 South First Street, Suite 1014
 4 San Jose, California 95113-2418
 Telephone Number: (408) 294-6100
 Facsimile Number: (408) 294-6190
 Email Address: fred.schwinn@sjconsumerlaw.com

5 Attorney for Plaintiff
 6 GRAHAM TOEWS

E-FILED - 11/18/08

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 8 **UNITED STATES DISTRICT COURT**
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 10 **SAN JOSE DIVISION**

11 GRAHAM TOEWS,

Case No. C08-02822-RMW-HRL

12 Plaintiff,

**STIPULATION OF DISMISSAL
 AND [~~PROPOSED~~] ORDER**

13 v.

14 CLIENT SERVICES, INC., a Missouri
 Corporation,

Fed. R. Civ. P. 41(a)(1)

15 Defendant.

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 17 Pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiff, GRAHAM TOEWS, and Defendant, CLIENT
 18 SERVICES, INC., stipulate, and the Court hereby orders, as follows:

19 1. The dispute between the parties has been settled, therefore, the claims asserted by
 20 Plaintiff, GRAHAM TOEWS, against Defendant, CLIENT SERVICES, INC., in the above-captioned
 21 proceeding are hereby dismissed, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1).

22 Dated: November 6, 2008

/s/ Fred W. Schwinn
 Fred W. Schwinn, Esq.
 Attorney for Plaintiff
 GRAHAM TOEWS

26 Dated: November 6, 2008

/s/ Amy Maclear
 Amy Maclear, Esq.
 Attorney for Defendant
 CLIENT SERVICES, INC.

1 THE FOREGOING STIPULATION
2 IS APPROVED AND IS SO ORDERED.

3 Dated: 11/18/08
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5 The Honorable Ronald M. Whyte
6 Judge of the District Court
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