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E-FILED - 12/10/08

10 Attorneys for Defendant
 11 SOUTH COAST WINERY, INC.

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

15 Mark Carter, an individual, and Christy
 16 Carter, an individual
 17 Plaintiffs,
 18 vs.
 19 South Coast Winery, Inc.
 20 Defendant.

CASE NO. C 08-02979 RMW

**STIPULATED MOTION TO DISMISS
 ALL CLAIMS WITH PREJUDICE;
 [] ORDER**

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1 The Parties in this action, through their undersigned counsel, hereby submit this
2 stipulated motion to dismiss all proceedings in this matter. The Parties have mediated and
3 settled all pending litigation, including this case and the currently pending in the U.S. District
4 Court for the Central District of California involving the same parties and substantially the
5 same issues.

6 A proposed order is attached hereto.

7 Dated: __December 5, 2008__

8 Respectfully submitted,

9 DICKENSON, PEATMAN & FOGARTY

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11 By _____ /s/ J. Scott Gerien

12 J. Scott Gerien
Megan F. Healy

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16 Attorneys for Plaintiff,
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20 By _____ /s/ David L. Hoffman

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24 Attorneys for Defendant,
25 South Coast Winery, Inc.

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[] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that this entire action is hereby dismissed with prejudice.

Date: 12/10/08


HON. RONALD M. WHYTE
United States District Court Judge