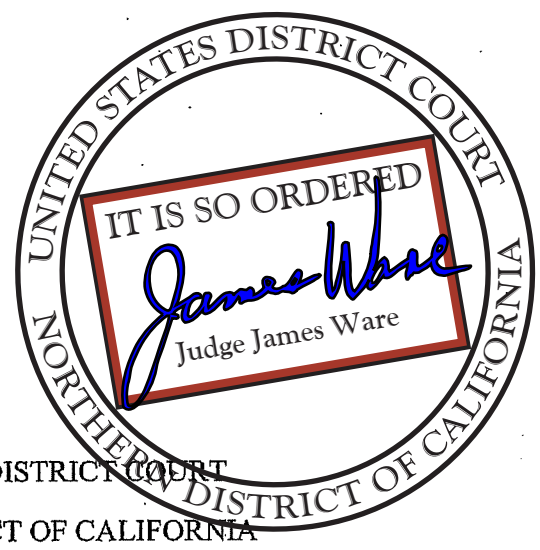


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5 Attorneys for Plaintiffs/Cross-Defendants
 6 FIBERTREK, INC.; LAWRENCE P. WAGNER;
 and JOHN G. PEERY



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

11 FIBERTREK, INC., a Nevada corporation;
 12 LAWRENCE P. WAGNER, an individual;
 and JOHN G. PEERY, an individual,

Case No. 5:08-CV-03415-JW

13 Plaintiffs,

STIPULATION OF PARTIAL DISMISSAL

14 v.

15 PREFERRED CORPORATE SERVICES,
 INC., a Colorado Corporation; DOUGLAS
 16 GREGG, an individual; TDG, LLC,
 a Colorado Limited Liability Company;
 17 NEIL SMITH, an individual and
 DOES 1-100, inclusive,

18 Defendants.

19 AND RELATED CROSS-ACTION

22 Pursuant to FRCP 41(a), IT IS HEREBY STIUPLATED by and between Plaintiffs, TDG,
 23 LLC, NEIL SMITH and all Cross-Defendants, by and through their designated counsel of record,
 24 as follows:

25 (1) Plaintiffs' First Amended Complaint is dismissed as to Defendants TDG, LLC and
 26 NEIL SMITH only, without prejudice to the filing by Plaintiffs of the stipulated judgment and
 27 enforcing any and all rights and remedies thereto pursuant to the agreement between the parties;

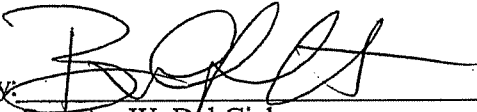
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(2) NEIL SMITH'S Cross-Complaint is dismissed, with prejudice, as to all Cross-Defendants named therein;

(3) All parties to this Stipulation agree to bear their own costs and attorney's fees.

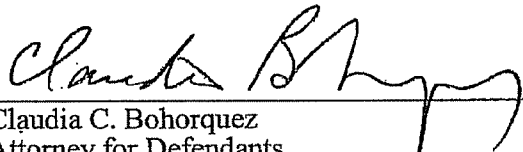
Dated: 4/1, 2010

BURKE, WILLIAMS & SORENSEN, LLP

By: 
Douglas W. Dal Cielo
Brian M. Affrunti
Attorneys for Plaintiffs/Cross-Defendants
FIBERTREK, INC.; LAWRENCE P. WAGNER;
and JOHN G. PEERY

Dated: 3/31, 2010

LAW OFFICES OF CLAUDIA C. BOHORQUEZ

By: 
Claudia C. Bohorquez
Attorney for Defendants
NEIL SMITH and TDG, LLC and Cross-Complainant NEIL SMITH

Dated: _____, 2010

LAW OFFICES OF ROBERT J. HUSTON III

By: _____
Robert J. Huston III
Attorney for Cross-Defendants JAMES E. SHIPLEY; ASSET CAPITAL GROUP, INC.; CORPORATE SECURITIES, INC.; RUSSELL KIDDER; and GEORGE ROTH

between the parties;

(2) NEIL SMITH'S Cross-Complaint is dismissed, with prejudice, as to all Cross-Defendants named therein;

(3) All parties to this Stipulation agree to bear their own costs and attorney's fees.

Dated: _____, 2010

BURKE, WILLIAMS & SORENSEN, LLP

By: _____

Douglas W. Dal Cielo
Brian M. Affrunti
Attorneys for Plaintiffs/Cross-Defendants
FIBERTREK, INC.; LAWRENCE P. WAGNER;
and JOHN G. PEERY

Dated: _____, 2010

LAW OFFICES OF CLAUDIA C. BOHORQUEZ

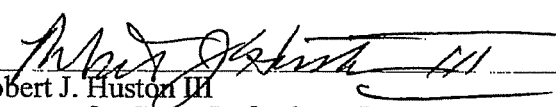
By: _____

Claudia C. Bohorquez
Attorney for Defendants
NEIL SMITH and TDG, LLC and Cross-
Complainant NEIL SMITH

Dated: March 31, 2010

LAW OFFICES OF ROBERT J. HUSTON III


By: _____


Robert J. Huston III
Attorney for Cross-Defendants JAMES E.
SHIPLEY; ASSET CAPITAL GROUP, INC.;
CORPORATE SECURITIES, INC.; RUSSELL
KIDDER; and GEORGE ROTH

***** ORDER *****

In light of this Stipulated Partial Dismissal, the Court VACATES the April 2, 2010 hearing on Order to Show Cause re: Settlement as to these settling parties. The Clerk of Court shall terminate the parties from the docket accordingly.

Dated: April 1, 2010



JAMES WARE
United States District Judge