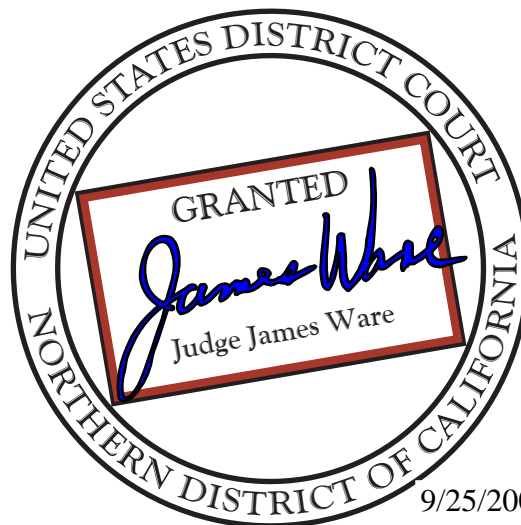


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FRANK E. MAYO/State Bar #42972  
Law Office of Frank E. Mayo  
5050 El Camino Real, Suite 228  
Los Altos, CA 94022  
  
(650) 964-8901  
  
Attorney for Plaintiff



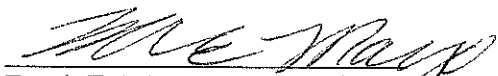
IN THE UNITED STATES DISTRICT COURT OF CALIFORNIA  
NORTHERN DISTRICT/SAN JOSE

PHYLLIS M. PINEDA ) No. C08 03746 JW  
)  
Plaintiff, ) STIPULATION TO DISMISSAL  
)  
vs. )  
)  
ABBOTT LABS an Illinois )  
)  
Defendant. )

COMES NOW Plaintiff Phyllis M. Pineda by and through her counsel Frank E. Mayo and Defendant Abbott Labs by and through its counsel Naomi Greenstone and hereby Stipulate to the Dismissal of this action with prejudice.

Each party to bear its own costs and fees.

Dated: September 18, 2008

  
Frank E. Mayo, Attorney for Plaintiff

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ABBOTT LABORATORIES

Dated: September 18, 2008

By: Naomi Greenstone

Naomi Greenstone, Senior Counsel

IT IS SO ORDERED: The Court terminates all pending deadlines, hearings and motions. The Clerk shall close this file.

Dated: Sept. 25, 2008

James Wise  
Judge of the US Northern District Court of California