

1 JOSEPH P. RUSSONIELLO (CSBN 44332)  
 United States Attorney  
 2 THOMAS MOORE (ASBN 4305-T780)  
 Assistant United States Attorney  
 3 Chief, Tax Division  
 BLAKE D. STAMM (CTBN 301887)  
 4 Assistant United States Attorney  
 9th Floor Federal Building  
 5 450 Golden Gate Avenue, Box 36055  
 San Francisco, CA 94102  
 6 Telephone: (415) 436-7063  
 Fax: (415) 436-6748  
 7  
 8 Attorneys for the United States of America

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

<p>12 <b>RAYMON JONES,</b>                     )</p> <p>13                     <b>Plaintiff,</b>                     )</p> <p>14                     v.                        )</p> <p>15 <b>UNITED STATES OF AMERICA</b>    )</p> <p>16                     <b>Defendant.</b>                     )</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><b>Case No. C-08-05218-RS</b></p> <p><b>STIPULATION TO DISMISS AND <del>PROPOSED</del></b>  <b>ORDER</b></p>
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 18 It is hereby stipulated by and between plaintiff Raymon Jones and defendant United States of  
 19 America, through their undersigned counsel, that this matter be dismissed with prejudice, each party to  
 20 bear its own costs and attorneys' fees.

21                                       JOSEPH P. RUSSONIELLO  
 United States Attorney

22                                       /s/

23 JONATHAN M. KAPLAN  
 Attorney for Plaintiff  
 24 Raymon Jones

  /s/

BLAKE D. STAMM  
 Assistant United States Attorney  
 Tax Division  
 Attorneys for Defendant

26                     **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

27 Dated: 10/19/09 \_\_\_\_\_

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 THE HONORABLE RICHARD SELBORG  
 UNITED STATES MAGISTRATE JUDGE