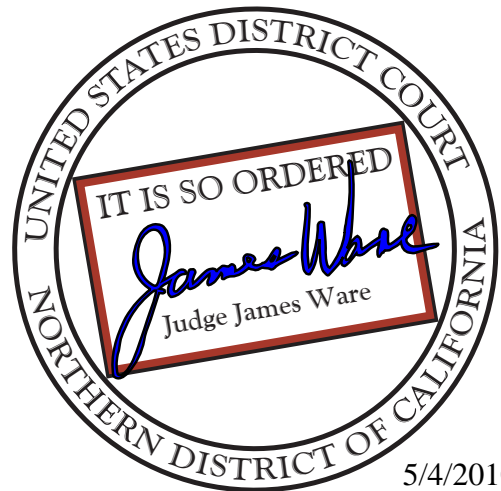


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22 Attorneys for Plaintiff Juanita Swain
23 and others similarly situated



5/4/2010

24 IN THE UNITED STATES DISTRICT COURT
25 FOR THE NORTHERN DISTRICT OF CALIFORNIA
26 SAN JOSE DIVISION

27 JUANITA SWAIN, on behalf of herself) Case No.: C-08-05562 JW
28 and all others similarly situated,)
29) STIPULATION OF DISMISSAL AS TO
30) DEFENDANTS HOLLINS • SCHECTER, LLC
31) AND RUDY GABA, JR. (ONLY)
32)
33) F.R.Civ.P. 41(a)
34)
35)
36)
37)
38)

Plaintiff,
vs.
CACH, LLC, et al

Defendants.

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IT IS HEREBY STIPULATED by and between the parties to this action through their designated counsel that defendants HOLLINS • SCHECTER, LLC, and RUDY GABA, JR. be and hereby are dismissed without prejudice pursuant to FRCP 41(a)(1). Further, each party shall be responsible for bearing their own costs and fees.

SO STIPULATED

Dated: April 16, 2010

ALEXANDER COMMUNITY LAW CENTER

By: /s/
SCOTT MAURER
Attorneys for Plaintiff JUANITA SWAIN and the
members of the proposed class

Dated: April 27, 2010

HOLLINS • SCHECTER, LLC

By Linda Luna
LINDA LUNA
KATHLEEN MARY KUSHI CARTER
Attorneys for Defendants HOLLINS •
SCHECHTER, LLC and RUDY GABA, JR

PROOF OF SERVICE

(1013A(3) Code Civ. Proc. Revised 5/1/88)

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 1851 E. First Street, 6th Floor, Santa Ana, California 92705-4017.

On April 27, 2010, I served the foregoing document described as **STIPULATION OF DISMISSAL AS TO HOLLINS•SCHECHTER AND RUDY GABA, JR. ONLY** on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list.

☐ by overnight delivery via Federal Express pursuant to Code of Civil Procedure section 1013.

☐ by FAX. I faxed said document pursuant to Rules of Court rule 2.306, on _____, at approximately _____ from my facsimile telephone number 714.558.9091.

The document was transmitted by facsimile transmission and the transmission was reported as complete and without error. The transmission report was properly issued by the transmitting facsimile machine. A copy of the transmission report is attached to this proof of service.

☐ by personal delivery to:

☒ by mail as follows: I am "readily familiar" with the firm's practice of collecting and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Santa Ana, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ I caused such document to be served on this date by electronic transmission via CAND-ECF website in accordance with standard procedures and will be posted on the website by the close of the next business date and the webmaster will give e-mail notification to all parties.

☒ (FEDERAL) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on April 27, 2010, at Santa Ana, California.


TAMMY CORFEZ

1 **Case Name:** SWAIN V. CACH, HOLLINS SCHECHTER
2 **Case No.:** 5:08-CV-05562-JW
3 **Our File No.:** HS 27846

4 **MAILING LIST**

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*Attorneys for Defendants, CACH, LLC
and VANESSA MARTINEZ*