

REED SMITH LLP

A limited liability partnership formed in the State of Delaware

1 Dana A. Blanton (SBN 232373)
 REED SMITH LLP
 2 101 Second Street, Ste. 1800
 San Francisco, CA 94105
 3 Telephone: 415.543.8700
 Facsimile: 415.391.8269
 4 Email: dblanton@reedsmith.com

5 Michael K. Brown (SBN 104252)
 Ginger Heyman Pigott (SBN 162908)
 6 REED SMITH LLP
 355 South Grand Avenue, Suite 2900
 7 Los Angeles, CA 90071
 Telephone: 213.457.8000
 8 Facsimile: 213.457.8080
 Email: mkbrown@reedsmith.com;
 9 gheyman@reedsmith.com

10 Attorneys for Defendant
 Medtronic, Inc. and Medtronic Sofamor Danek
 11 USA, Inc.

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14 NIKILYN BOWER,
 15 Plaintiff,
 16 vs.
 17 MEDTRONIC, INC., et al.,
 18 Defendants.

No.: 5:09-cv-2113-JW

**STIPULATION AND [PROPOSED]
 ORDER FOR DISMISSAL WITH
 PREJUDICE**

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1 IT IS HEREBY STIPULATED by and between plaintiff Nikilyn Bower and defendants
 2 Medtronic, Inc. and Medtronic Sofamor Danek USA, Inc., by and through their undersigned
 3 attorneys, that pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), plaintiff's Complaint shall be dismissed
 4 with prejudice. Each party shall bear its own costs, fees and expenses, including attorneys' fees, in
 5 connection with this voluntary dismissal. Judgment of dismissal with prejudice may be entered
 6 hereon pursuant hereto without further notice.

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 8 DATED: November 30, 2009

BOHN & BOHN LLP

By 

Robert H. Bohn
 Attorney for Plaintiff Nikilyn Bower

11 DATED: November 20, 2009.

13 REED SMITH LLP

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 15 By  /S/ Dana A. Blanton


Michael K. Brown
 Ginger H. Pigott
 Dana A. Blanton
 Attorneys for Defendants
 Medtronic Inc. and Medtronic Sofamor Danek
 USA, Inc.

19 **ORDER**

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

21 The Clerk shall close this file.

22 DATED: December 16, 2009

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 25 JAMES WARE

UNITED STATES DISTRICT JUDGE

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