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 19 EXCELLIGENCE LEARNING
 20 CORPORATION

21 UNITED STATES DISTRICT COURT
 22 NORTHERN DISTRICT OF CALIFORNIA

23 KRISTEN BAILEY AND RICHARD
 24 BAILEY,

25 Plaintiffs,

26 v.

27 EXCELLIGENCE LEARNING
 28 CORPORATION,

Defendant.

CASE NO. C 09-02239 JW (RS)

**STIPULATED DISMISSAL WITH
 PREJUDICE AND [PROPOSED] ORDER
 DISMISSING ENTIRE ACTION WITH
 PREJUDICE**

WHEREAS the parties to this action have reached a confidential amicable resolution of all claims and causes of action now pending;

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IT IS HEREBY STIPULATED by and between the parties to this action, through their respective attorneys of record, that the action may be dismissed, in its entirety, with prejudice.

Dated: December 23, 2009

KRONICK, MOSKOVITZ, TIEDEMANN &
GIRARD
A Law Corporation

By: Margaret J. Grover
Margaret J. Grover
Attorneys for Defendant
EXCELLIGENCE LEARNING CORPORATION

Dated: December 8, 2009

NELSON LAW GROUP

By: Robert S. Nelson
Robert S. Nelson
Attorneys for Plaintiffs
KRISTEN AND RICHARD BAILEY

ORDER

Based upon the foregoing Stipulation of the parties and good cause appearing, the Court dismisses the above action, in its entirety, with prejudice. The Court terminates any remaining pending deadlines, hearings or motions. The Clerk shall close this file.

Dated: January 20, 2010

James Ware
Honorable James Ware
Judge of the United States District Court