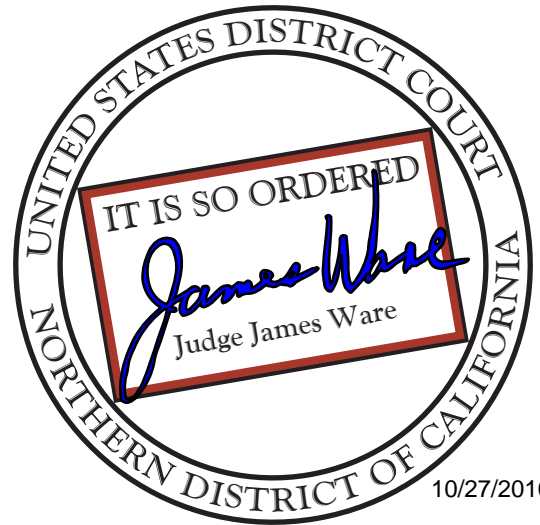


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 11 FAFCO, Inc.



10/27/2010

12 IN THE UNITED STATES DISTRICT COURT
 13 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 14 SAN JOSE DIVISION

15 FAFCO, Inc., a California corporation,

16 Plaintiff,

17 vs.

18 ENERGY LABORATORIES, INC. (a/k/a
 19 ENERGY LABS, INC.), a Florida Corporation;
 20 SCOTT CZEWSKI, an Individual; and DOES
 21 1 through 20, inclusive,

22 Defendants,

Case No. C-09-04861 JW

STIPULATION FOR DISMISSAL WITH PREJUDICE

[Fed. R. Civ. P. 41(a)(1)(A)(ii)]

Complaint Filed: October 13, 2009

23 Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiff FAFCO,
 24 Inc., Defendants Energy Laboratories, Inc. (a/k/a Energy Labs, Inc.) and Scott Czewski, through
 25 the signatures of their respective counsel, stipulate herein to the dismissal of plaintiff's
 26 Complaint with prejudice, in its entirety, pursuant to a private Settlement Agreement.

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28 ///

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weintraub genshlea chediak
LAW CORPORATION

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IT IS SO STIPULATED. The Clerk shall close this file.

Dated: October 27, 2010

WEINTRAUB GENSHLEA CHEDIAK

By: /s/ - Charles L. Post
Charles L. Post

Attorneys for Plaintiff, FAFCO, Inc.

Dated: October 27, 2010

SMITH, GAMBRELL & RUSSELL, LLP

By: /s/ - Yash B. Dave
Patricia J. Hill
Yash B. Dave

Attorneys for Defendant ENERGY LABS, INC.

Dated: October 27, 2010

COLT / WALLERSTEIN LLP

By: /s/ - Doug Colt
Doug Colt

Attorneys for Defendant SCOTT CZEWSKI