GARY S. ROSE (CA. State Bar #83744) 1 FLYNN, ROSE & PERKINS 59 North Santa Cruz Avenue, Suite Q 2 Los Gatos, California 95030 (408) 399-4566 3 Email: gsroselaw@hotmail.com 4 Attorney for Plaintiff GEGA ŠAENZ 5 6 UNITED STATES DISTRICT COURT 7 NORTHERN DISTRICT OF CALIFORNIA 8 9 GEGA SAENZ, Case No. C08-01205 EMC 10 Plaintiff, 11 STIPULATION AND REQUEST FOR DISMISSAL and (PROPOSED) ORDER VS. 12 LIBERTY MUTUAL FIRE INSURANCE 13 COMPANY, and DOES 1 through 20, inclusive 14 15 Defendants. 16 17 The parties by and through their respective counsel of record, hereby stipulate to and 18 request an order of dismissal, with prejudice, of this action in its entirety as to all Defendants, 19 claims, and causes of action, each party to bear its own attorney's fees and costs. 20 IT IS SO STIPULATED 21 Pursuant to General Order No. 45, section X(B) regarding signatures, I attest under penalty 22 of perjury that the concurrence in the filing of this document has been obtained from its 23 signatories. 24 25 DATE: December 15, 2008 FLYNN, ROSE & PERKINS 26 By /s/ GARY S. ROSE 27 Attorney for Plaintiff 28 STIPULATION AND REQUEST FOR DISMISSAL AND (PROPOSED) ORDER C08-01205 EMC Page 1

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2	DATE: December 15, 2008 McCURDY & FULLER, LLP
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4	By /s/ KEVIN G. McCURDY
5	Attorney for Defendant
6	<u>ORDER</u>
7	In light of the parties' stipulation, this action is hereby dismissed in its entirety, with
8	prejudice, as to all Defendants, claims, and causes of action, each party to bear its own
9	attorney's fees and costs.
10	DATE:, 2008
11	Honorable Edward M. Chen United States District Judge
12	Officed States District Judge
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