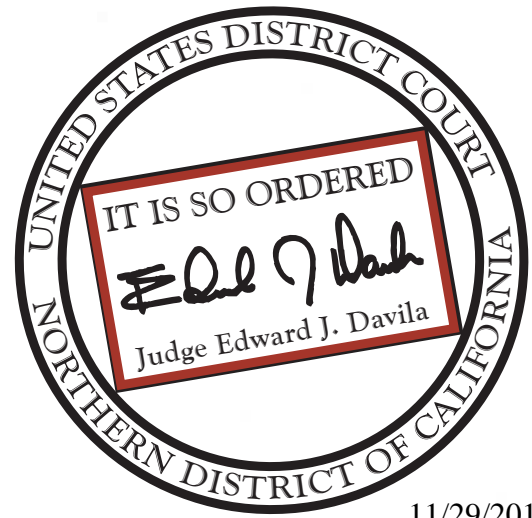


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 6 Alma Clarisa Hernandez, Theresa Wallen
 and Ronald Moore



11/29/2011

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 ALMA CLARISA HERNANDEZ, THERESA)
 12 WALLEN, RONALD MOORE,)
 13 Plaintiffs,)
 14 vs.)
 15 VALLCO INTERNATIONAL SHOPPING)
 16 CENTER, LLC, et al.,)
 17 Defendants.)

No. 5:10-CV-02848-EJD

**STIPULATION FOR DISMISSAL OF
 BENIHANA NATIONAL CORPORATION
 ONLY**

19 **WHEREAS**, Plaintiffs Alma Clarisa Hernandez, Theresa Wallen and Ronald Moore
 20 (“Plaintiffs”) and Defendant Benihana National Corporation (“Defendant”) have settled the
 21 matter as between themselves;

22 **WHEREAS** no Defendant has filed a cross-claim or counterclaim in this matter or a
 23 motion for summary judgment;

24 **IT IS HEREBY STIPULATED** between Plaintiffs and Defendant, by and through their
 25 respective counsel, that Defendant Benihana National Corporation only be and hereby is

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 27 ///
 28 ///

1 dismissed with prejudice from this action pursuant to Federal Rule of Civil Procedure
2 41(a)(1)(A)(ii). Plaintiffs and Defendant shall bear their own attorney fees and costs.

3 Date: November 28, 2011

MOORE LAW FIRM, P.C.

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/s/ Tanya E. Moore

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Tanya E. Moore

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Attorneys for Plaintiffs Alma Clarisa Hernandez,
Theresa Wallen and Ronald Moore

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8 Date: November 28, 2011

JACKSON LEWIS, LLP

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Mark S. Askanas

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Attorneys for Defendant Benihana
National Corporation

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