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1 Cliff Palefsky (SBN 77683)
cp@mhpsf.com
2 Scott M. Stillman (SBN 267506)
sstillman@mhpsf.com
3 McGUINN, HILLSMAN & PALEFSKY
4 535 Pacific Avenue
San Francisco, CA 94133
5 Telephone: (415) 421-9292
Facsimile: (415) 403-0202

6 Attorneys for Plaintiff
7 DIRK BOECKER

8 Thomas M. McInerney (SBN 162055)
tmm@ogletreedeakins.com
9 Sarah R. Nichols (SBN 233099)
sarah.nichols@ogletreedeakins.com
10 OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.
11 Steuart Tower, Suite 1300
One Market Plaza
12 San Francisco, California 94105
Telephone: (415) 442-4810
13 Facsimile: (415) 442-4870

14 Attorneys for Defendants
Healthways, Inc., and
15 American Healthways Services, Inc.

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN JOSE DIVISION
19

20 DIRK BOECKER,) Case No. 5:10-cv-04058 HRL
21)
22 Plaintiff,) **STIPULATION AND ~~PROPOSED~~ ORDER**
23) **FOR DISMISSAL WITH PREJUDICE**
24 vs.)
25)
26 HEALTHWAYS, INC., a corporation,)
AMERICAN HEALTHWAYS SERVICES,)
27 INC., a corporation, and DOES 1 through 10,)
inclusive,)
28 Defendants.)

1 IT IS HEREBY STIPULATED by and between parties to this action through their designated
2 counsel that the above-captioned action be, and hereby is, dismissed with prejudice pursuant to
3 Fed.R.Civ.P. 41(a)(1).

4
5 Respectfully submitted,

6 Dated: February 24, 2011

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

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8
9 By: /s/ Thomas M. McInerney

Thomas M. McInerney
Attorneys For Defendants Healthways, Inc.
and American Healthways Services, Inc.

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11
12 Dated: February 24, 2011

McGUINN, HILLSMAN & PALEFSKY

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14
15 By: /s/ Cliff Palefsky

Cliff Palefsky
Attorneys for Plaintiff Dirk Boecker

16
17 **PROPOSED ORDER**

18 The above-captioned action is dismissed with prejudice pursuant to Fed.R.Civ.P. 41(a)(1).

19 IT IS SO ORDERED.

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21 Dated: February 28, 2011



THE HONORABLE HOWARD R. LLOYD
United States District Magistrate Judge

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SIGNATURE ATTESTATION

I am the ECF User whose identification and password are being used to file the foregoing Joint Case Management Statement and Rule 26(f) Report, and [Proposed] Order. In compliance with General Order 45.X.B., I hereby attest that the other signatories have concurred in this filing.

Dated: February 24, 2011

McGUINN, HILLSMAN & PALEFSKY

By: /s/ Scott M. Stillman

Scott M. Stillman
McGUINN, HILLSMAN & PALEFSKY
535 Pacific Avenue
San Francisco, CA 94133
Telephone: 415-421-9292
Facsimile: 415-403-0202

Attorneys for Plaintiff