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 Hopkins & Carley, ALC
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10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**

13 HOPKINS & CARLEY, ALC,
 14 Plaintiff,
 15 v.
 16 THOMSON ELITE, A DIVISION OF
 WEST PUBLISHING CORPORATION
 17 and DOES 1 through 25.
 18 Defendant.

CASE NO. 10-05806 LHK
STIPULATION FOR DISMISSAL
 Dept.: Courtroom 4, 5th Floor
 Judge: Lucy H. Koh

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 20 **STIPULATION FOR DISMISSAL**

21 IT IS HEREBY STIPULATED by and between plaintiff Hopkins & Carley, A Law
 22 Corporation (“H&C”) and defendant Thomson Elite, A Division of West Publishing Corporation
 23 (“West”) that:

- 24 1. Plaintiff H&C filed suit against WEST on September 28, 2011 in the Superior
 25 Court for the County of Santa Clara, State of California, captioned 1-10-CV-183762;
- 26 2. On December 21, 2010, defendant WEST filed a Notice of Removal of Civil
 27 Action – Diversity through which it removed the suit to the United States District Court for the
 28 Northern District of California, where it was assigned to the Honorable Lucy H. Koh;

1 3. On December 28, 2011, defendant WEST filed a Motion to Compel Binding
2 Arbitration and to Dismiss or Stay this action;

3 4. On March 31, 2011, the Court heard oral arguments on the motion to compel
4 binding arbitration and to dismiss or stay this action; and

5 5. On April 6, 2011, the Court issued its order granting the motion to compel
6 arbitration and ordering that the parties stipulate to dismiss the action without prejudice subject to
7 the execution of an agreement tolling the applicable statutes of limitation.

8 IT IS HEREBY STIPULATED by and between Plaintiff Hopkins & Carley, ALC (H&C)
9 and THOMSON ELITE, A DIVISION OF WEST PUBLISHING CORPORATION (WEST) that:

10 Consistent with the Court's Order dated April 6, 2011 granting WEST's motion to compel
11 binding arbitration, that this matter shall be dismissed without prejudice, and the applicable
12 statutes of limitation shall be tolled as set forth in the Tolling Agreement attached hereto as
13 Exhibit A.

14 IT IS SO STIPULATED.

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16 Dated: April 21, 2011

HOPKINS & CARLEY

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18 By: /s/ Eugene Ashley
19 Eugene Ashley, Esq.
Attorneys for Plaintiff

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21 Dated: April 21, 2011

DRINKER BIDDLE & REATH LLP

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23 By: /s/ Sheldon Eisenberg
Sheldon Eisenberg, Esq.
Attorneys for Defendant

24 IT IS SO ORDERED. The Clerk shall close the file.

25
26 Dated: April 22, 2011



The Honorable Lucy H. Koh