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5 Attorneys for Defendants
 6 SEA & SIERRA RESTAURANTS, INC.
 7 d.b.a. SLOCUM'S GRILL AND BAR;
 AVENA-MINNEY PARTNERS, LLC;
 8 TOMMY AVENA; CYNTHIA AVENA;
 9 JOE MINNEY; and TERE E MINNEY
 10

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

13 TIMOTHY CLEVELAND,

14 Plaintiff,

15 vs.

16 SEA AND SIERRA RESTAURANTS, INC.)
 17 DBA SLOCUM'S GRILL AND BAR;
 AVENA-MINNEY PARTNERS, LLC;
 18 TOMMY AVENA; CYNTHIA AVENA;
 JOE MINNEY; TERRY MINNEY; and
 19 DOES 1-10, inclusive,

20 Defendants.

CASE NO: 5:11-CV-06707-RMW

Judge: Honorable Ronald M. Whyte

**ORDER OF DISMISSAL BASED UPON
 STIPULATION OF PARTIES**

21 Based upon the stipulation parties filed on April 17, 2013, the parties request that the
 22 court execute this order of dismissal.

23 It is hereby ordered that this case is dismissed with prejudice.
 24

25 Dated: April __, 2013

26
 27 By: Ronald M. Whyte
 28 HONORABLE RONALD M. WHYTE