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ATTORNEYS FOR DEFENDANTS

Filed

JAN 0 9 2013

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

HUMBERTO JIMENEZ,

Plaintiff,

v.

JOSE LUIS HERNANDEZ dba LOS ALTOS
ENTERPRISES; LOS ALTOS
ENTERPRISES,

Defendants.

CASE NO. CV12-01992

NOTICE OF SETTLEMENT, AND
STIPULATION AND ORDER DISMISSING
ENTIRE ACTION WITH PREJUDICE

NOTICE OF SETTLEMENT

Plaintiff Humberto Jimenez ("Plaintiff") and Defendants Jose Luis Hernandez and Los Altos Enterprises, (collectively "Defendants"), by and through their respective attorneys of record, hereby notify the Court that on November 12, 2012 the parties attended mediation wherein the parties agreed that the above captioned action, including all claims, counterclaims, and affirmative defenses be dismissed with prejudice.

CASE NO. CV12-01992

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STIPULATION FOR ORDER DISMISSING ENTIRE ACTION WITH PREJUDICE

WHEREAS, the parties have fully executed a Confidential Settlement Agreement and Release of Claims;

WHEREAS, no class was ever certified in this matter; therefore Rule 23 does not apply;

WHEREAS, all that remains to be done in this case is the entry of an Order dismissing with prejudice the entire action;


THEREFORE, THE PARTIES HEREBY STIPULATE THAT:

1. The Court should enter an Order dismissing with prejudice the entire action as to all parties.

Dated: December 4, 2012

FITZPATRICK, SPINI & SWANSTON

By



JAMES FITZPATRICK, ESQ.
ATTORNEYS FOR DEFENDANTS
JOSE HERNANDEZ and LOS ALTOS
ENTERPRISES

Dated: December 4, 2012

DUNN, DAL BON & MARGAIN

/s/ jdb

JAMES DAL BON, ESQ.
ATTORNEY FOR PLAINTIFF
HUMBERTO JIMENEZ

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

HUMBERTO JIMENEZ,
Plaintiff,
v.
JOSE LUIS HERNANDEZ dba LOS ALTOS
ENTERPRISES; LOS ALTOS
ENTERPRISES,
Defendants.

CASE NO. CV12-01992

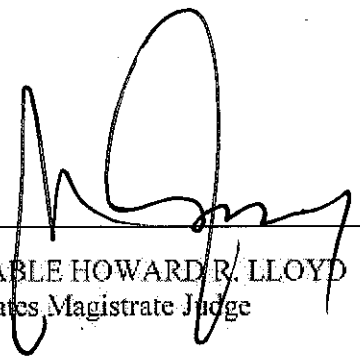
ORDER

ORDER

1. The Court hereby issues an order dismissing with prejudice the entire action as to all parties.

IT IS SO ORDERED.

Dated: 1/2/13


HONORABLE HOWARD R. LLOYD
United States Magistrate Judge