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6 Attorneys for Defendant TRAVELERS COMMERCIAL  
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 8 UNITED STATES DISTRICT COURT OF CALIFORNIA  
 9 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

11 ERLINDA EMATA,  
 12 Plaintiff,

Case No. 12-CV-03436LHK

13 vs.

**STIPULATION OF DISMISSAL  
 OF ACTION WITH  
 PREJUDICE; AND ORDER  
 THEREON**

14 TRAVELERS COMMERCIAL  
 INSURANCE COMPANY; DOES 1  
 15 through 10, inclusive,

[Rule 41(a)(2), Fed. R.Civ.P.]

16 Defendants.

**FORAN GLENNON PALANDECH PONZI & RUDLOFF PC**  
 ATTORNEYS AT LAW  
 2000 POWELL STREET, SUITE 900  
 EMERYVILLE, CALIFORNIA 94608  
 (510) 740-1500

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- 18 1. WHEREAS, the parties to this action have executed a Confidential  
 19 Settlement Agreement and General Release In Full; and  
 20 2. WHEREAS, Plaintiff Erlinda Emata, has agreed to dismiss this action  
 21 in its entirety, with prejudice, under Federal Rules of Civil Procedure, Rule 41(a)(2);  
 22 and  
 23 3. WHEREAS, the parties to this action agree that each side is to bear its  
 24 own costs in this matter;

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4. The parties to this action agree, through their respective attorneys, that Plaintiff Erlinda Emata, hereby dismisses this action in its entirety, with prejudice, each side bearing its own costs.

**IT IS SO STIPULATED.**

DATED: January 3, 2013

**FLYNN, ROSE & PERKINS**

By: /s/ Gary S. Rose  
Gary S. Rose  
Susan D. Perlmulder  
Attorneys for Plaintiff ERLINDA EMATA

DATED: January 3, 2013

**FORAN GLENNON PALANDECH  
PONZI & RUDLOFF PC**

By: /s/ G. Edward Rudloff, Jr.  
G. Edward Rudloff, Jr.  
Jennifer N. Wahlgren  
Attorneys for Defendant TRAVELERS  
COMMERCIAL INSURANCE COMPANY

**ORDER OF DISMISSAL**

Based on the above-stated stipulation, and good cause otherwise appearing,  
IT IS ORDERED that this action is dismissed with prejudice.

DATED: January 4, 2013

Lucy H. Koh  
Hon. Lucy H. Koh  
UNITED STATES DISTRICT JUDGE