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**\*E-FILED: January 3, 2013\***

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

MARCUS BANNON,

Plaintiff,

vs.

XO COMMUNICATIONS, INC. a Corporation,  
and DOES 1-10, inclusive,

Defendants.

) Case No. **CV 12-03963-HRL**

) ~~PROPOSED~~ ORDER GRANTING  
) STIPULATION FOR DISMISSAL

) State Court Action Filed: June 26, 2012  
) Action Removed: July 27, 2012

) Assigned to the Honorable Howard R. Lloyd

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Pursuant to the stipulation by and between Plaintiff MARCUS BANNON on the one hand, and Defendant XO COMMUNICATIONS SERVICES, INC. on the other hand, this action is dismissed in its entirety and with prejudice. Each party shall bear his/its own attorneys' fees and costs.

**IT IS SO ORDERED.**

DATED: January 3, 2013



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Hon. Howard R. Lloyd  
United States District Court Magistrate Judge