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**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

MARCUS FRYE,
Plaintiff,
v.
HOME DEPOT U.S.A., INC.; HOME
DEPOT INSTALLATION SERVICES,
INC.; and DOES 2 through 10,
Defendants.

CASE NO. 07 CV 1255 BEN (POR)
**ORDER AND DISMISSAL WITH
PREJUDICE**

On reading and filing the Joint Stipulation of the parties hereto for dismissal
with prejudice of the entire action, and good cause appearing therefore,

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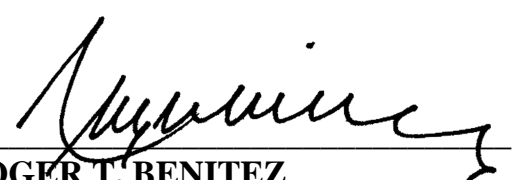
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IT IS HEREBY ADJUDGED, ORDERED AND DECREED that this action be dismissed with prejudice, with each party to bear its own attorney's fees and costs to achieve said dismissal. The Court shall retain jurisdiction only to enforce this Stipulation between the parties.

IT IS SO ORDERED.

DATED: February 5, 2008


ROGER T. BENITEZ
United States District Judge