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HONORABLE THOMAS S. ZILLY  
Date of Hearing: March 24, 2009

  
  
09-CV-00106-APPL

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JARED PECK, a Washington resident, and  
JAMES BOWDEN, a Washington resident,  
individually and on behalf of all the members  
of the class of persons similarly situated,

Plaintiffs,

v.

CINGULAR WIRELESS, LLC, a Delaware  
limited liability company, d/b/a Cingular  
Wireless, NEW CINGULAR WIRELESS  
SERVICES, INC., a Delaware corporation  
d/b/a AT&T Wireless, NEW CINGULAR  
WIRELESS SERVICES PURCHASING  
COMPANY, L.P., a Delaware limited  
partnership, d/b/a Cingular Wireless, and NEW  
CINGULAR WIRELESS PCS, LLC, a  
Delaware limited liability company, d/b/a  
Cingular Wireless,

Defendants.

Case No.: C09-0106TSZ

STIPULATION AND ORDER  
DISMISSING CLAIMS BY AND  
AGAINST PLAINTIFF JARED PECK

Clerk's Action Required

I. STIPULATION

The parties, through their designated counsel, hereby stipulate to the dismissal with prejudice of all claims, individual or representative, brought by plaintiff Jared Peck against defendants and without the award of fees or costs to any party. The claims by plaintiff James Bowden, individual and representative, shall proceed in this matter.

STIPULATION AND ORDER DISMISSING CLAIMS BY AND AGAINST  
PLAINTIFF JARED PECK - C09-0106TSZ

STOKES LAWRENCE, P.S.  
800 FIFTH AVENUE, SUITE 4000  
SEATTLE, WASHINGTON 98104-3179  
(206) 626-6000

1 The parties further stipulate to the dismissal with prejudice of all counterclaims by  
2 defendants against Mr. Peck and without costs or fees to any party.

3 DATED this 24th day of March 2009.

4  
5 STOKES LAWRENCE, P.S.

BRESKIN JOHNSON & TOWNSEND, PLLC

6  
7 By: /s/ Shelley M. Hall  
8 Scott A.W. Johnson (WSBA #15543)  
9 Shelley M. Hall (WSBA #28586)  
Aneelah Afzali (WSBA #34552)  
Attorneys for Defendants

By: /s/ Daniel F. Johnson  
Daniel F. Johnson (WSBA #27848)  
David E. Breskin (WSBA #10607)  
Attorneys for Plaintiff

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11 **II. ORDER**

12 Based upon the foregoing stipulation, it is hereby ordered that all claims by plaintiff Jared  
13 Peck against defendants in the above-entitled cause are dismissed with prejudice and without  
14 costs or fees to any party.

15 Based upon further stipulation, it is hereby ordered that the counterclaims of defendants  
16 against plaintiff Jared Peck in the above-entitled cause are dismissed with prejudice and without  
17 costs or fees to any party.

18 DATED this 31<sup>st</sup> day of March 2009.

*Defendants' motion for summary judgment as to Peck's  
claims and the counterclaims against him, docket no. 10,  
is STRICKEN as moot.*

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20   
THE HONORABLE THOMAS S. ZILLY

21 Presented by:  
22 STOKES LAWRENCE, P.S.

23  
24 By: /s/ Shelley M. Hall  
25 Scott A.W. Johnson (WSBA #15543)  
26 Shelley M. Hall (WSBA #28586)  
Aneelah Afzali (WSBA #34552)  
Attorneys for Defendants

*\* The unredacted version of defendants'  
motion is filed under seal as docket  
no. 13.*

27  
STIPULATION AND ORDER DISMISSING CLAIMS BY AND AGAINST  
PLAINTIFF JARED PECK - C09-0106TSZ

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