

Stephen E. Carroll, # 116333  
McCormick, Barstow, Sheppard  
Wayte & Carruth LLP  
P.O. Box 28912  
5 River Park Place East  
Fresno, CA 93720-1501  
Telephone: (559) 433-1300  
Facsimile: (559) 433-2300

(SPACE BELOW FOR FILING STAMP ONLY)

Attorneys for Plaintiff  
ALAN J. VALLARINE, D.D.S.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA (FRESNO DIVISION)

ALAN J. VALLARINE, D.D.S.,

Plaintiff,

v.

DOUGLAS E. FREEMAN, CAROL E.  
FREEMAN, VICKIE A. KASPRYZK,  
DAVID KASPRYZK, FRESNO DENTAL  
SURGERY CENTER, INC., a California  
Corporation, AND DOES I to XX,

Defendants.

Case No. 06 CV 00239 LJO

**STIPULATION FOR DISMISSAL;  
ORDER THEREON**

Plaintiff ALAN J. VALLARINE, D.D.S. (hereafter "Plaintiff") and Defendants DOUGLAS E. FREEMAN, CAROL E. FREEMAN, VICKIE A. KASPRYZK, DAVID KASPRYZK, FRESNO DENTAL SURGERY CENTER, INC., a California Corporation, by and through their counsels of record, hereby stipulate and agree as follows:

1. The parties, having settled the above-captioned case, hereby agree and stipulate that the above-captioned action be DISMISSED, with prejudice.

2. The parties, by the undersigned counsel for each party, agree that this Stipulation may be signed by counsel, and that all counsel listed below have authorized the submission of this Stipulation to this Court.

**IT IS SO STIPULATED:**

1 Dated: July 10, 2009

McCORMICK, BARSTOW, SHEPPARD  
WAYTE & CARRUTH LLP

4 By: \_\_\_\_\_/s/

5 Stephen E. Carroll  
6 David L. Emerzian  
Attorneys for Plaintiff  
ALAN J. VALLARINE, D.D.S.

7 Dated: July 10, 2009

COLEMAN & HORWITT, LLP

9 By: \_\_\_\_\_/s/

10 Darryl J. Horowitt  
Attorneys for Defendant  
11 FRESNO DENTAL SURGERY  
CENTER, INC., a California corporation

12 Dated: July 10, 2009

LaFOLLETTE, JOHNSON, DIHAAS,  
FESLER & AMES

15 By: \_\_\_\_\_/s/

16 Kenneth L. Powell  
Attorneys for Defendants  
DAVID KASPRZYK  
17 VICKIE A. KASPRZYK

18 Dated: July 10, 2009

20 By: \_\_\_\_\_/s/

21 Carol E. Freeman, In Pro Per  
Douglas E. Freeman (deceased)

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**ORDER**

The parties have stipulated to dismiss the action, with prejudice. Pursuant to Fed. R. Civ. Pro. 41(a)(ii), the action is DISMISSED, with prejudice. All dates are VACATED. The clerk is hereby directed to CLOSE the action.

**IT IS SO ORDERED.**

Dated: July 13, 2009

/s/ Lawrence J. O'Neill  
Hon. Lawrence J. O'Neil  
UNITED STATES DISTRICT JUDGE

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