

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

WILLIAM SYVERSON, PATRICK BOONE,
LEE DESHLER, ROBERT FLOWERS,
BARRY GERARD, TINA GLEISNER,
THOMAS GOMEZ, EDWIN "DANA"
GOODLOE, ROLF MARSH, DANIEL
MOCZAN, JAMES PAYNE,
and ANTONIO RIVERA, individually and on
behalf of others similarly situated,

Plaintiffs,

v.

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Defendant.

E-FILED - 1/29/09

Case No. C 03 04529 RMW
ORDER OF
DISMISSAL WITH PREJUDICE

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Named Plaintiffs William Syverson, Patrick Boone, Lee Deshler, Robert Flowers, Barry Gerard, Tina Gleisner, Thomas Gomez, Edwin "Dana" Goodloe, Rolf Marsh, Daniel Moczan, James Payne, and Antonio Rivera, as evidenced by the signatures of all attorneys of record, DISMISS WITH PREJUDICE, any and all claims against Defendant that were or could have been raised in the above-styled lawsuit. Each party agrees to bear his/her or its own costs in this litigation.

Submitted this 29 day of January, 2009.

Agreed to on behalf of each of the Named Plaintiffs:



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Agreed to on behalf of Defendant:



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The Court, SO ORDERS THIS 29 day of January, 2009, that the case is DISMISSED WITH PREJUDICE.

A handwritten signature in blue ink that reads "Ronald M. Whyte". The signature is written in a cursive style with a horizontal line underneath it.

Hon. Ronald J. Whyte
U.S. District Court Judge