| 1  | ANDRÉ BIROTTE JR.   | JS - 6        |  |
|----|---|---------------|--|
| 2  | United States Attorney<br>LEON W. WEIDMAN   | 00 0          |  |
| 3  | Assistant United States Attorney<br>Chief, Civil Division   |               |  |
| 4  | JONATHAN B. KLINCK Assistant United States Attorney   |               |  |
| 5  | California Bar No. 119926 Federal Building, Suite 7516  |               |  |
| 6  | 300 North Los Angeles Street<br>Los Angeles, California 90012   |               |  |
| 7  | Telephone: (213) 894-8561<br>Facsimile: (213) 894-7819<br>Email: jon.klinck@usdoj.gov   |               |  |
| 8  | Attorneys for Defendants <sup>1</sup>   |               |  |
| 9  | •   |               |  |
| 10 | UNITED STATES DISTRICT COURT  |               |  |
| 11 | FOR THE CENTRAL DISTRICT OF CALIFORNIA  |               |  |
| 12 | WESTERN DIVISION  |               |  |
| 13 | HARVEY L. AMES,   | NO.           | CV 10-9525 AHM (DTBx)                          |
| 14 | Plaintiff,  |               | (2 12.1)                                       |
| 15 | V.  | OR            | DER ON STIPULATION FOR                         |
| 16 |   | $\mathbf{CO}$ | MPROMISE SETTLEMENT<br>D RELEASE AND DISMISSAL |
| 17 | BRIGADIER GENERAL<br>W. SMITH, JR. et al.   |               | ALL CLAIMS                                     |
| 18 | Defendants.   | The           | Honorable A. Howard Matz                       |
| 19 | Pased on the filed stimulation of   | Dlaintiff in  | nue namend council for                         |
| 20 | Based on the filed stipulation of Plaintiff in <i>pro per</i> and counsel for   |               |  |
| 21 | Defendants, and good cause appearing therefor,  |               |  |
| 22 | ///   |               |  |
| 23 | ///<br>///  |               |  |
| 24 | ///   |               |  |
| 25 | ///   |               |  |
| 26 | Brigadier General W. Smith Jr., Commanding General of the Marine Corps Air Ground Combat Center, is automatically substituted for his predecessor, Brigadier General H. S. Clardy III, pursuant to the provisions of F. R. Civ. P. 25(d). |               |  |
| 27 |   |               |  |
| 28 |   |               |  |

IT IS ORDERED that the above-entitled action be, and hereby is, dismissed with prejudice as to all parties and all causes of action, and that all parties are to bear their own attorneys' fees and costs.

DATED: September 27, 2011

JS-6

**UNITED STATES DISTRICT JUDGE** 

Drawnof. A

## PROOF OF SERVICE BY MAILING

I am over the age of 18 and not a party to the within action. I am employed by the Office of United States Attorney, Central District of California. My business address is 300 North Los Angeles Street, Suite 7516, Los Angeles, California 90012.

On September 26, 2011, I served [PROPOSED] ORDER ON

STIPULATION FOR COMPROMISE SETTLEMENT AND RELEASE AND DISMISSAL OF ALL CLAIMS on each person or entity named below by enclosing a copy in an envelope addressed as shown below and placing the envelope for collection and mailing on the date and at the place shown below following our ordinary office practices. I am readily familiar with the practice of this office for collection and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

Date of mailing: September 26, 2011. Place of mailing: Los Angeles, California.

## Person(s) and/or Entity(ies) to Whom mailed:

Harvey L. Ames P.O. Box 1104 Yucca, CA 92386

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on: September 26, 2011 at Los Angeles, California.

27 Rossana Alvarez