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JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

COREY DELAINE STEWART,
Plaintiff,

v.

CITY OF GARDENA; GARDENA
POLICE DEPARTMENT; GARDENA
POLICE DEPARTMENT CHIEF OF
POLICE ED MEDRANO; GARDENA
POLICE DEPARTMENT
DETECTIVES; ERIC MICHAELSEN,
MICHAEL ROSS, RICHARD
REYNAGA, and DETECTIVE HIRAI,
individually and in their official
capacity as police officers for the City
of Gardena,
Defendant.

Case No. 2:15-CV-01425-CAS-PJWx
*[Hon. Christina A. Snyder, Dist. Judge;
Hon. Patrick J. Walsh, Mag. Judge]*

**[PROPOSED] ORDER FOR
DISMISSAL WITH PREJUDICE OF
ALL CLAIMS AND OF THE
ACTION**

Complaint Filed: 02/27/2015
Trial Date: Not Yet Set

PURSUANT TO THE STIPULATION OF THE PARTIES, and pursuant to the Court's inherent and statutory authority, including but not limited to the Court's authority under the applicable Federal Rules of Civil Procedure and the United States District Court, Central District of California Local Rules; after due consideration of all of the relevant pleadings, papers, and records in this action; and upon such other evidence or argument as was presented to the Court; Good Cause appearing therefor, and in furtherance of the interests of justice,

Document ID: 2015-01425-01

1 IT IS HEREBY ORDERED that:

2 **ORDER FOR DISMISSAL WITH PREJUDICE OF ALL CLAIMS.**

3 1. The Court hereby **dismisses with prejudice** all of plaintiff's claims and
4 causes of action in this civil action regarding the claim for **Unlawful Detention** in
5 violation of the Fourth Amendment to the U.S. Constitution, pursuant to 42 U.S.C. §
6 1983 by plaintiff COREY STEWART against defendants ERIC MICHAELSEN,
7 MICHAEL ROSS, RICHARD REYNAGA, AND DET. TOSHIO HIRAI (in their
8 individual and official capacities) [First Cause of Action].

9 2. The Court hereby **dismisses with prejudice** all of plaintiff's claims and
10 causes of action in this civil action regarding the claim for **Unlawful Arrest** in
11 violation of the Fourth Amendment to the U.S. Constitution, pursuant to 42 U.S.C. §
12 1983 by plaintiff COREY STEWART against defendants ERIC MICHAELSEN,
13 MICHAEL ROSS, RICHARD REYNAGA, & DET. HIRAI (in their individual and
14 official capacities) [First Cause of Action].

15 3. The Court hereby **dismisses with prejudice** all of plaintiff's claims and
16 causes of action in this civil action regarding the claim for Municipal
17 Liability/Unconstitutional Custom-Practice (**Monell Violation**), pursuant to 42 U.S.C.
18 § 1983 by plaintiff COREY STEWART against defendants CITY OF GARDENA and
19 POLICE CHIEF ED MEDRANO (in his individual and official capacity) [First Cause
20 of Action].

21 4. To the extent any other legal claims or causes of action are implicitly or
22 explicitly raised in plaintiff's operative Complaint [*e.g.*, Dkt. Doc. 1], the Court hereby
23 **dismisses with prejudice** all such plaintiff's claims and causes of action in this civil
24 action.

25 5. Pursuant to the parties' Stipulation, the Court hereby takes judicial notice
26 of the fact that: plaintiffs and Defendants have each affirmed that the parties have
27 mutually waived and released all claims in this action – including all claims for liability
28 or damages or otherwise by any of the plaintiffs against any of the defendants or their

1 agents or employees – and have mutually waived and released all parties from all
2 liability for any and all costs, court fees, and attorneys’ fees arising out of this litigation
3 between these parties thereto as to the aforementioned dismissed claims; and that, by
4 and through plaintiff's attorneys of record in this action, plaintiff has further affirmed
5 that plaintiff knowingly, freely, voluntarily, and without duress released and waived all
6 claims for damages or liability, and all causes of action, which in any way arise from
7 the incident at issue in this action.

8 6. In light of the foregoing, the Court hereby **dismisses with prejudice** this
9 action in its entirety.

10 **IT IS SO ORDERED.**

11 DATED: February 19, 2016

**UNITED STATES DISTRICT COURT,
CENTRAL DISTRICT OF CALIFORNIA**



By: _____

Hon. Christina A. Snyder
UNITED STATES DISTRICT JUDGE

Approved: Hon. Christina A. Snyder, United States District Judge

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10 Attorneys for Defendants,
11 CITY OF GARDENA (erroneously named
12 as two separate parties, including the
13 GARDENA POLICE DEPARTMENT);
14 POLICE CHIEF ED MEDRANO; DETS.
15 ERIC MICHAELSEN, MICHAEL ROSS,
16 RICHARD REYNAGA, & TOSHIO
17 HIRAI
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