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

REANNA HERMOSILLO, as guardian ad litem to C.E.L.R., a minor, individually and as successor-in-interest; B.I.R., a minor, individually and as successor-in-interest; D.R.R., a minor, individually and as successor-in-interest; and J.I.H., a minor, individually and as successor-in-interest to decedent ENRIQUE CARLOS RODARTE,

Plaintiffs,

v.

THE COUNTY OF SAN BERNARDINO, THE CITY OF VICTORVILLE, and as DOE 1- DET.ECTIVE BRAD BONNET, individually and in his capacity as a Detective in the San Bernardino County Sheriff's Department; DOE 2-DEPUTY PAUL CASAS, individually and in his capacity as a deputy in the San Bernardino County Sheriff's Department; DOE 3-DEPUTY JASON FORTIER, individually and in his capacity as a deputy in the San Bernardino County Sheriff's Department; DOE 4-DEPUTY DAVID PAGE, individually and in his capacity as a deputy in the San Bernardino County Sheriff's Department; DOE 5-SERGEANT JOHN WALKER, individually and in his capacity as a Sergeant in the San Bernardino County Sheriff's Department; DOE 6 -

Case No. 5:15-EDCV-00033-DTB

[Assigned to Hon. David T. Bristow]

[PROPOSED] ORDER RE JOINT STIPULATION OF THE PARTIES FOR PARTIAL DISMISSAL WITH PREJUDICE OF CLAIMS AND PARTIES

Trial: March 13, 2017

Docketed by: [Name]

1 COMMANDER LIEUTENANT
2 HECTOR GOMEZ, individually and in
3 his capacity as a Lieutenant and
4 Commander of the S.E.D. in the San
5 Bernardino County Sheriff's Department;
6 DOE 7 - CAPTAIN GREGG HERBERT,
7 individually and in his capacity as a
8 Captain in the San Bernardino County
9 Sheriff's Department; DOE 8- SHERIFF
10 JOHN MCMAHON, individually and in
11 his capacity as Sheriff of the County of
12 San Bernardino and DOES 9-10,
13 inclusive, individually.

14 Defendants,

15 PURSUANT TO THE STIPULATION OF THE PARTIES, the Court orders as
16 follows:

17 The Court **dismisses with prejudice** Sheriff John McMahon and Captain
18 Gregg Herbert as defendants from all claims in the operative First Amended
19 Complaint.

20 The Court **dismisses with prejudice** the following claim: the fourth federal
21 claim for **Conspiracy to Violate Civil Rights and Conspiracy to Cover-Up (42**
22 **U.S.C. § 1983 and 42 U.S.C. § 1985)** by plaintiffs against defendants Detective
23 Brad Bonnet, Deputy Paul Casas, Deputy Jason Fortier, Deputy David Page,
24 Sergeant John Walker, Captain Gregg Herbert, Commander Lieutenant Hector
25 Gomez, and Sheriff John McMahon, and DOES 9-10.

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1 Furthermore, the Court hereby takes judicial notice of the fact that the parties
2 agree to-mutually waive and release all costs, court fees, and attorneys' fees arising
3 out of this litigation between these parties thereto as to the aforementioned
4 dismissed claims, only.

5 IT IS SO ORDERED.

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7 DATED: March 1, 2017

UNITED STATES DISTRICT COURT

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9 By: 

10 Magistrate Judge David T. Bristow
11 UNITED STATES DISTRICT COURT
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