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7 Attorneys for Defendants, DOUG HAYS,
8 JON McKNIGHT and RUSS SHARROCK

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 HELEN WATHAN, JAMES F. WATHAN,) CASE NO. 1:05-CV-01609 LJO DLB
12 and as surviving heirs of JAMES WATHAN,)
13 JR., deceased.)

14 Plaintiffs)

15 v.)

16 DEPUTY JON MCKNIGHT, DEPUTY)
17 RUSS SHARROCK, and DEPUTY DOUG)
18 HAYS,)

19 Defendants)

20 **STIPULATED DISMISSAL AND ORDER**

21 Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, the parties to this action,
22 Plaintiff Helen Wathan and James F. Wathan, on behalf of themselves and on behalf of the Estate
23 of James Wathan, Jr. (hereinafter referred to as "Plaintiffs"), and defendants Jon McKnight, Russ
24 Sharrock and Doug Hays (hereinafter referred to as "Defendants"), through their respective
25 attorneys of record, hereby stipulate and agree that the above captioned action be dismissed in its
26 entirety, with prejudice, all parties to bear their own costs and attorney's fees.

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DATED: September 24, 2009

WEAKLEY, ARENDT & MCGUIRE, LLP

By: /s/ James J. Arendt
James J. Arendt
Attorneys for Defendants

DATED: September 24, 2009

THE HOEY LAW FIRM

By: /s/ Jim Hoey
Jim Hoey
Attorney for Plaintiffs

Pursuant to Rule 7-131(e) of the Local Rules of the United States District Court for the Eastern District of California, I certify that the content of this document is acceptable to counsel for the Plaintiffs and that I have obtained authorization from James Hoey to affix his electronic signature to this document.

DATED: September 24, 2009

WEAKLEY, ARENDT & MCGUIRE, LLP

By: /s/ James J. Arendt
James J. Arendt
Attorneys for Defendants

ORDER

IT IS SO ORDERED.

Dated: September 28, 2009

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