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6 Attorneys for Defendants, City of Madera; Sergeant M. Weils;  
 7 Officers R. Hill and M. Kutz; Commander Steven Frazier; and  
 8 Police Chief Michael Kime

9 UNITED STATES DISTRICT COURT  
 10 EASTERN DISTRICT OF CALIFORNIA

11 ISSA ZACHARIA,

12 Plaintiff,

13 vs.

14 CITY OF MADERA, COUNTY OF  
 15 MADERA, Com. STEVE FRAZIER,  
 16 DISTRICT ATTORNEY ERNEST  
 17 LICALSI, DEPARTMENT OF JUSTICE  
 18 FIREARMS DIVISION, SPECIAL  
 19 AGENT IGNATIUS H. CHINN, SA  
 20 MARSH, SA BADGLEY, SGT. M.  
 21 WELLS, OFF. R. HEIL, OFF. M. KATZ,  
 22 COMMANDER MICHAEL KIME, and  
 23 DOES 1 through XX, inclusive,

24 Defendants.

) No. 1:06-CV-00892 AWI/SMS  
 )  
 ) **STIPULATION AND ORDER**  
 ) **OF DISMISSAL WITH**  
 ) **PREJUDICE [FED. R. CIV. P.**  
 ) **41(A)]**

22 1. Plaintiff Issa Zacharia and all City of Madera Defendants hereby jointly  
 23 request and stipulate under Fed. R. Civ. P. 41(a) that the remaining City of Madera  
 24 Defendants, the City of Madera and Commander Steve Frazier, be dismissed with  
 25 prejudice as a defendant to this action.

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1           2.     Each side is to bear its own costs and attorney's fees. All parties waive  
2 any and all claims for costs and/or fees that they might possess against any other  
3 party.

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5 Dated: February 19, 2010

FERGUSON, PRAET & SHERMAN  
A Professional Corporation

6  
7 By: /s/ Jon F. Hamilton  
8 Jon F. Hamilton,  
9 Attorney for Defendants, City of  
10 Madera; Sergeant M. Weils; Officers  
11 R. Hill and M. Kutz; Commander  
12 Steven Frazier; and Police Chief  
13 Michael Kime

14  
15 Dated: February 19, 2010

REAL LAWYERS - AT  
AFFORDABLE PRICES

16  
17 By: /s/ Eric H. Schweitzer  
18 Eric H. Schweitzer,  
19 Attorney for Plaintiff, Issa Zacharia

20  
21 Dated: February 19, 2010

WEAKLEY, ARENDT & McGUIRE,  
LLP

22  
23 By: /s/ James J. Arendt  
24 James J. Arendt,  
25 Attorneys for Defendants County of  
26 Madera and Ernie Licalsi

27  
28 Dated: February 23, 2010

OFFICE OF THE ATTORNEY  
GENERAL

By: /s/ Alberto L. Gonzalez  
Alberto L. Gonzalez  
Attorneys for Defendant Ignatius H.  
Chinn

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**ORDER**

The remaining City of Madera defendants, the City of Madera and Commander Steve Frazier, are dismissed with prejudice as defendants to this action. Each side to bear its own costs and attorneys' fees.

IT IS SO ORDERED.

**Dated:** March 10, 2010 /s/ Anthony W. Ishii  
CHIEF UNITED STATES DISTRICT JUDGE