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 7 KULJEET MANN AND CHRIS IMPERATRICE

8 **IN THE UNITED STATES DISTRICT COURT**
 9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

10 JOHN ROE, minor, by and through his Guardian)
 11 Ad Litem, SHEILA IRENE CALLAHAN,)
 12)
 Plaintiff,)

CASE NUMBER:
1:07-CV-00796-OWW-DLB

13 vs.)

STIPULATION OF DISMISSAL AND
ORDER THEREON

14 GUSTINE UNIFIED SCHOOL DISTRICT;)
 GOLDEN VALLEY UNIFIED SCHOOL)
 15 DISTRICT; KYLE MATTHEW FISCHER, aka)
 KYLE SIMMONS, a minor; MICHAEL FISCHER,)
 16 aka MICHAEL SIMMONS, a minor; KELLY)
 SIMMONS; JASON SIMMONS; MATTHEW)
 17 McKIMMIE a minor; MYRNA TYNDAL;)
 TOMMY SAN FELIPO, a minor; FRANK)
 18 HUDSON; BETTY HUDSON; CARL SCUDDER;)
 JASON SPAULDING; ANTHONY SOUZA;)
 19 ADAM CANO; TIMOTHY HAYES; KULJEEP)
 MANN; CHRIS IMPERATRICE, AND DOES 1-)
 20 200,)
 21)
 Defendants.)

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 23 IT IS HEREBY STIPULATED, by and between Kimberly Gail Flores, for Plaintiff, JOHN
 24 ROE, MINOR, BY AND THROUGH HIS GUARDIAN AD LITEM, SHEILA IRENE CALLAHAN, and
 25 Defendants, GOLDEN VALLEY UNIFIED SCHOOL DISTRICT, TIMOTHY HAYES, KULJEET
 26 MANN AND CHRIS IMPERATRICE, that the above action be and hereby is dismissed with
 27 prejudice, as to Defendants, GOLDEN VALLEY UNIFIED SCHOOL DISTRICT, TIMOTHY
 28 HAYES, KULJEET MANN AND CHRIS IMPERATRICE, only, pursuant to Federal Rules of Civil
 Procedure 41(a)(1) and (2).

1 Each party will bear its own costs and attorney fees.

2 DATED: January 7, 2010. Allen, Fagalde, Albertoni & Flores

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4 By /s/ KIMBERLY GAIL FLORES
5 KIMBERLY GAIL FLORES
6 Attorneys for Plaintiff, JOHN ROE, minor, by and through his
Guardian Ad Litem, SHEILA IRENE CALLAHAN

7 DATED: January 19, 2010. Auchard & Stewart

8
9 By /s/ PAUL AUCHARD
10 PAUL AUCHARD
11 Attorneys for Defendants, GOLDEN VALLEY UNIFIED
SCHOOL DISTRICT, TIMOTHY HAYES, KULJEET MANN
AND CHRIS IMPERATRICE

12 **ORDER**

13 Upon reading the stipulation, and good cause appearing:

14 **IT IS ORDERED** that the action is dismissed as to GOLDEN VALLEY UNIFIED SCHOOL
15 DISTRICT, TIMOTHY HAYES, KULJEET MANN AND CHRIS IMPERATRICE in accordance with the
16 stipulation.

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21 IT IS SO ORDERED.

22 **Dated:** January 19, 2010

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE