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(SPACE BELOW FOR FILING STAMP ONLY)

5 Attorneys for Defendant
6 THOMAS MANSFIELD, M.D.

7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

10
11 MICHAEL TATER-ALEXANDER,

12 Plaintiff,

13 v.

14 FRESNO COMMUNITY HOSPITAL
AND MEDICAL CENTER, operator of
15 CLOVIS COMMUNITY MEDICAL
CENTER; DR. THOMAS MANSFIELD;
16 NURSE MARILYN JO GREENE,

17 Defendants.

1:08-CV-00372-OWW-SKO

**JOINT STIPULATION AND ORDER
REGARDING VOLUNTARY DISMISSAL,
WITH PREJUDICE, OF DEFENDANT,
THOMAS MANSFIELD, M.D., FROM THIS
LITIGATION**

Trial Date: February 23, 2011
Courtroom: 7
Judge: Hon. Oliver Wanger

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19 IT IS HEREBY STIPULATED by and between Plaintiff, MICHAEL TATER-
20 ALEXANDER, and Defendant, THOMAS MANSFIELD, M.D. (hereinafter
21 "DR. MANSFIELD"), through their designated counsel, that the above-captioned civil action and
22 claims specifically against DR. MANSFIELD be and hereby is **dismissed, with prejudice,**
23 pursuant to Federal Rule of Civil Procedure 41(a)(1).

24 Plaintiff's claims against the other named Defendants are not affected by this dismissal,
25 with prejudice, of DR. MANSFIELD from this litigation.

26 IT IS FURTHER STIPULATED that Plaintiff and DR. MANSFIELD each hereby waive
27 any and all past, current or future claims for costs and/or fees associated with the above-captioned
28

1 action and the full terms and conditions of this resolution are more fully outlined in the
2 Settlement Agreement & Release of All Claims previously executed by Plaintiff.

3 ALL PARTIES FURTHER STIPULATE that performance of the terms of the resolution
4 of this case shall be completed on or before March 16, 2011.

5 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD

6 Dated: February 16, 2011 BUSTAMANTE, O'HARA & GAGLIASSO, P.C.

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8 By: /s/ Andrew V. Stearns
9 Andrew V. Stearns
10 Attorneys for Plaintiff
MICHAEL TATER-ALEXANDER

11 Dated: February 16, 2011 THE LAW FIRM OF KALLIS & ASSOCIATES, P.C.

12
13 By: /s/ M. Jeffery Kallis
14 M. Jeffery Kallis
15 Attorney for Plaintiff
MICHAEL TATER-ALEXANDER

16 Dated: February 16, 2011 MCCORMICK, BARSTOW, SHEPPARD, WAYTE, &
17 CARRUTH, LLP

18
19 By: /s/ Daniel L. Wainwright
20 Daniel L. Wainwright
Attorneys for Defendants
THOMAS MANSFIELD, M.D.

21 Dated: February 16, 2011 STAMMER, MCKNIGHT, BARNUM, & BAILEY,
22 LLP

23
24 By: /s/ Carey H. Johnson
25 Carey H. Johnson
26 Attorneys for Defendants
MARILYN JO GREENE and FRESNO
COMMUNITY HOSPITAL AND
MEDICAL CENTER

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FINAL PROCEDURES 15.1 AND 15.2 STATEMENT

I hereby attest that concurrence in the filing of this document has been obtained from each signatory above pursuant to Local Final Procedures 15.1 and 15.2.

Dated: February 16, 2011

MCCORMICK, BARSTOW, SHEPPARD, WAYTE, & CARRUTH, LLP

By: /s/ Daniel L. Wainwright
Daniel L. Wainwright
Attorneys for Defendants
THOMAS MANSFIELD, M.D.

ORDER DISMISSING DEFENDANT, THOMAS MANSFIELD, M.D.

PURSUANT TO THE STIPULATION OF THE PARTIES, AS SET FORTH ABOVE, AND GOOD CAUSE APPEARING IT IS ORDERED AS FOLLOWS:

Defendant, THOMAS MANSFIELD, M.D., is hereby dismissed, with prejudice, from this litigation (Case No. 1:08-CV-00372-OWW-SKO).
66215/00058-1691622.v1

IT IS SO ORDERED.

Dated: February 18, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE