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 LUCIO CORRAL RODRIGUEZ, individually,  
 and as Successor in Interest to the decedents,  
 MARICRUZ CORRAL, IVAN ALEXANDER CORRAL,  
 and LUCIO ANTHONY CORRAL

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Attorneys for Defendant CITY OF MODESTO

UNITED STATES DISTRICT COURT  
 EASTERN DISTRICT OF CALIFORNIA - FRESNO

LUCIO CORRAL RODRIGUEZ,  
 individually and as Successor in Interest to  
 the decedents, MARICRUZ CORRAL,  
 IVAN ALEXANDER CORRAL, and LUCIO  
 ANTHONY CORRAL,

Plaintiff,

vs.

COUNTY OF STANISLAUS, CITY OF  
 MODESTO, CITY OF RIVERBANK,  
 STATE OF CALIFORNIA, AMTRAK  
 CALIFORNIA, BURLINGTON  
 NORTHERN SANTA FE RAILWAY, and  
 DOES 1 to 200,

Defendants.

No. 1:08- CV-00856-OWW-GSA

STIPULATION AND ORDER OF DISMISSAL

[FRCP 41(a)(2)]

1 It is hereby stipulated and agreed by and between Plaintiff, LUCIO CORRAL  
2 RODRIGUEZ, individually and as Successor in Interest to the decedents, MARICRUZ CORRAL,  
3 IVAN ALEXANDER CORRAL, and LUCIO ANTHONY CORRAL and Defendant CITY OF  
4 MODESTO, through their respective undersigned counsel that the above-entitled action be dismissed  
5 with prejudice as to Defendant CITY OF MODESTO, only.

6 It is further stipulated by said parties that Plaintiff bear his own costs and attorney's fees  
7 incurred in this action and that Defendant CITY OF MODESTO bear its own costs and attorney's  
8 fees incurred in this action.

9 Date: June 15, 2010

By /s/ JWC  
JOSEPH W. CARCIONE  
Attorneys for Plaintiff  
LUCIO CORRAL RODRIGUEZ,  
individually and as Successor-in-Interest to  
the decedents MARICRUZ CORRAL,  
IVAN ALEXANDER CORRAL, and  
LUCIO ANTHONY CORRAL

SUSANA ALCALA WOOD, City Attorney

15 Dated: June 15, 2010

By /s/ RBE  
RICHARD B. EVANS  
Senior Deputy City Attorney  
Attorneys for Defendant CITY OF MODESTO

### 18 ORDER

19 The Court having reviewed the Stipulation set forth above and finds it to be in order,  
20 therefore,

21 IT IS ORDERED that:

22 1. This action be and is dismissed with prejudice as to Defendant CITY OF MODESTO,  
23 only.

24 2. PLAINTIFF and defendant CITY OF MODESTO shall bear their own costs and  
25 attorney's fees incurred in this action.

27 IT IS SO ORDERED.

1 **Dated: June 18, 2010**

**/s/ Oliver W. Wanger**  
UNITED STATES DISTRICT JUDGE

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