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11 Attorneys for Plaintiff  
 12 DONDI VAN HORN

13 UNITED STATES DISTRICT COURT  
 14 EASTERN DISTRICT OF CALIFORNIA  
 15 FRESNO DIVISION

16 DONDI VAN HORN,  
 17 Plaintiff,  
 18 v.  
 19 TINA HORNBEAK individually and as Warden of  
 20 Valley State Prison For Women; JAMES E.  
 21 TILTON individually and as Secretary of the  
 22 California Department of Corrections and  
 23 Rehabilitation; ROBIN DEZEMBER individually  
 24 and as Chief Deputy Secretary of California  
 25 Department of Corrections and Rehabilitation; JEFF  
 26 THOMPSON individually and as Director of  
 27 California Department of Corrections and  
 28 Rehabilitation; ROBERT SILLEN individually and  
 as former California Health System Receiver;  
 CLARK KELSO individually and as acting  
 California Health System Receiver; DR. PAL VIRK  
 individually and as Chief Medical Officer of Valley  
 State Prison for Women; JAMES HEINRICH  
 individually and as a physician employed at Valley  
 State Prison for Women; MADERA COMMUNITY  
 HOSPITAL; TINA DHILLON an individual; and  
 NAEEM SIDDIQI an individual,  
 Defendants.

Case No.: 1:08-CV-01622 LJO-DLB

**STIPULATION AND ORDER RE  
 DISMISSAL OF DEFENDANT  
 THOMPSON AND FILING OF  
 FOURTH AMENDED COMPLAINT**

1           WHEREAS Defendant Thompson has agreed to bear his own fees and costs in defending  
2 this action, and Plaintiff has agreed to dismiss with prejudice her claims against Thompson;

3           WHEREAS the Court, on September 24, 2009, granted Plaintiff's Motion to Amend her  
4 Complaint to add Dr. Daun Martin as a defendant;

5           WHEREAS Plaintiff inadvertently omitted Defendant Martin's name from the caption of  
6 her Third Amended Complaint; and

7           WHEREAS Plaintiff's Fourth Amended Complaint, attached as Exhibit A to this  
8 Stipulation, is identical to her Third Amended Complaint except that it omits Thompson from the  
9 case caption and adds Martin to the caption;

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11           THEREFORE, Plaintiff Dondi Van Horn and Defendants Hornbeak, Tilton, Dezember,  
12 Thompson, Martin, Virk, Heinrich, Madera Community Hospital, Dhillon, and Siddiqi, by and  
13 through their counsel, hereby stipulate:

- 14           1. Defendant Thompson shall be voluntarily dismissed with prejudice from this action  
15           pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii);  
16           2. Defendant Thompson agrees to bear his own fees and costs in defending this action; and  
17           3. Plaintiff may file her Fourth Amended Complaint, attached hereto as Exhibit A, correcting  
18           the case caption to add Martin and remove Thompson as defendants.

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DATED: December 18, 2009

COVINGTON & BURLING LLP

By           /s/Christine Saunders Haskett            
CHRISTINE SAUNDERS HASKETT

Attorneys for Plaintiff  
DONDI VAN HORN

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DATED: December 18, 2009

EDMUND G. BROWN JR.  
Attorney General of the Sate of California

By /s/Diana Esquivel  
DIANA ESQUIVEL

Attorneys for Defendants Dr. Virk, James Heinrich,  
M.D., Tina Hornbeck, James E. Tilton, Robin  
Dezember, and Jeff Thompson

DATED: December 18, 2009

MCCORMICK BARSTOW SHEPPARD WAYTE &  
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By /s/Daniel Wainwright  
DANIEL WAINWRIGHT

Attorneys for Defendant Madera Community  
Hospital

DATED: December 18, 2009

WEISS MARTIN SALINAS & HEARST

By /s/Richard S. Salinas  
RICHARD S. SALINAS

Attorneys for Defendant Tina Dhillon, M.D.

DATED: December 18, 2009

BAKER MANOCK & JENSEN

By /s/Christopher D. Bell  
CHRISTOPHER D. BELL

Attorneys for Defendant Naeem Siddiqi, M.D.

1 PURSUANT TO STIPULATION, IT IS SO ORDERED

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3 DATED: \_December 23, 2009\_\_\_\_\_

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By: \_\_\_/s/ Lawrence J. O'Neill \_\_\_\_\_  
THE HONORABLE LAWRENCE J. O'NEILL  
UNITED STATES DISTRICT JUDGE

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