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(SPACE BELOW FOR FILING STAMP ONLY)

6 Attorneys for Defendant
 7 MADERA COMMUNITY HOSPITAL

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

11 DONDI VAN HORN,
 12 Plaintiff,
 13 v.
 14 JAMES HEINRICH individually and as a
 15 physician employed at Valley State Prison
 16 for Women; MADERA COMMUNITY
 17 HOSPITAL; TINA DHILLON an
 18 individual; NAEEM SIDDIQI an individual,
 19 Defendants.

Case No. 08 CV-01622-LJO-DLB

**JOINT STIPULATION AND ORDER
 REGARDING VOLUNTARY DISMISSAL,
 WITH PREJUDICE, OF DEFENDANT,
 MADERA COMMUNITY HOSPITAL,
 FROM THIS LITIGATION**

Trial Date: June 28, 2010
Judge: Hon. Lawrence O’Neill

19 IT IS HEREBY STIPULATED by and between Plaintiff, DONDI VAN HORN, and
 20 Defendant, MADERA COMMUNITY HOSPITAL (hereinafter “MCH”), through their
 21 designated counsel, that the above-captioned action and claims against MCH be and hereby is
 22 **dismissed, with prejudice**, pursuant to Federal Rule of Civil Procedure 41(a)(1).

23 FURTHERMORE, the Court already indicated, on the record, that MCH would be
 24 dismissed from this litigation at the start of the June 28, 2010 trial against the remaining
 25 defendants, at the time, TINA DHILLON and JAMES HEINRICH.

26 Plaintiff’s claims against the other named Defendants are not affected by this dismissal,
 27 with prejudice, of MCH from this litigation.

28 IT IS FURTHER STIPULATED that DONDI VAN HORN and MCH each hereby waive

1 any and all past, current or future claims for costs and/or fees associated with the above-captioned
2 action and as more fully outlined in the Settlement Agreement & Release executed by Plaintiff
3 and MCH.

4 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD

5 Dated: July 13, 2010

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

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8 By: /s/ Daniel L. Wainwright
Mario L. Beltramo, Jr.
Daniel L. Wainwright
Attorneys for Defendant
9 MADERA COMMUNITY HOSPITAL
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11 Dated: July 13, 2010

COVINGTON & BURLING LLP

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14 By: /s/ E. Daniel Robinson
E. Daniel Robinson
Attorneys for Plaintiff
15 DONDI VAN HORN
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ORDER DISMISSING DEFENDANT, MCH

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

Defendant, MADERA COMMUNITY HOSPITAL, is hereby dismissed, with prejudice, from this litigation effective June 28, 2010.

Date: July 15, 2010

/s/ Lawrence J. O'Neill
Lawrence J. O'Neill
Judge, U. S. District Court

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