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Attorneys for Defendants, City of Ceres, Ceres Police Department, Officer
 Michael Perez, Sergeant Berber, Officer Julio Amador, Officer Melton, Officer
 Vanessa Garcia, Officer Brian Ferreira, Lt Brent Smith and Chief of Police Art De
 Werk

UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA

BRIANNA GARCIA, MARIO
 AMENDARIZ, DAISY MAYORGA,
 JESSEE ALVAREZ, MARILYN
 ALVAREZ,

Plaintiffs,

v.

CITY OF CERES, CERES POLICE
 DEPARTMENT, OFFICER
 MICHAEL PEREZ, OFFICER
 BERBER, OFFICER JULIO
 AMADOR, OFFICER MELTON,
 CHIEF OF POLICE ART DE WERK,
 OFFICER VANESSA GARCIA, LT.
 BRENT SMITH, OFFICER BRIAN
 FERREIRA, AND DOES 1-100,

Defendants.

No. 1:08-CV-01720-LJO-SMS

STIPULATION AND ORDER OF
 PARTIAL DISMISSAL WITH
 PREJUDICE [FED. R. CIV. P. 41 A]

1. Plaintiffs, Brianna Garcia, Daisy Mayorga, Jesse Alvarez and Marilyn
 Alvarez, and all the City of Ceres Defendants hereby jointly request and stipulate
 under Fed. R. Civ. P. 41 (a) that the City of Ceres Police Department, Sergeant Jose
 Berber, Officer Michael Perez, Officer Julio Amador, Officer Chris Melton, Officer
 Vanessa Garcia, Officer Brian Ferreira, and Lt. Brent Smith be dismissed with
 prejudice as defendants in this action.

Stip and [Proposed] Order re
 Partial Dismissal w/ Prejudice

No. 1:08-CV-01720-LJO-SMS

1 2. The sole remaining Plaintiff against the City of Ceres Defendants is
2 Mario Armendariz.

3 3. Each side is to bear its own costs and attorney's fees as to these Plaintiffs
4 and these Defendants. All parties included in this Stipulation waive any and all
5 claims for costs and/or fees that they might have possessed.

6
7 Dated: April 7, 2010

LAW OFFICE OF KIMBERLY AYERS

8
9 By: /s/ Kimberly C. Ayers
10 Kimberly C. Ayers
11 Attorney for Plaintiffs

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13 Dated: April 7, 2010

FERGUSON, PRAET & SHERMAN
A Professional Corporation

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15 By: /s/ Kelly R. M. Irwin
16 Kelly R. M. Irwin
17 Attorney for City of Ceres Defendants

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ORDER RE PARTIAL DISMISSAL

Defendants, City of Ceres Police Department, Sergeant Jose Berber, Officer Michael Perez, Officer Julio Amador, Officer Chris Melton, Officer Vanessa Garcia, Officer Brian Ferreira, and Lt. Brent Smith are hereby dismissed with prejudice as to the entire action filed by Plaintiffs, Brianna Garcia, Daisy Mayorga, Jesse Alvarez and Marilyn Alvarez only.

Plaintiff, Mario Armendariz' action against Defendants, City of Ceres Police Department, Sergeant Jose Berber, Officer Michael Perez, Officer Julio Amador, Officer Chris Melton, Officer Vanessa Garcia, Officer Brian Ferreira, and Lt. Brent Smith remains.

Each side to bear its own costs and attorneys' fees.

IT IS SO ORDERED.

Dated: April 8, 2010

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE