

Daley & Heft, LLP  
Attorneys at Law  
Neal S. Meyers, Esq. (SBN 109625)  
Matthew T. Racine, Esq. (SBN 256865)  
462 Stevens Avenue, Suite 201  
Solana Beach, CA 92075  
Telephone: (858) 755-5666  
Facsimile: (858) 755-7870

Attorneys for Defendant,  
MERCED IRRIGATION DISTRICT

Lawrence D. Murray (SBN 77536)  
MURRAY & ASSOCIATES  
1781 Union Street  
San Francisco, CA 94123  
Tel: (415) 673-0555  
Fax: (415) 928-4084

Dean Gordon (SBN 61311)  
LAW OFFICES OF DEAN GORDON  
1220 East Olive Avenue  
Fresno, CA 93728  
Tel: (559) 221-7777  
Fax: (559) 221-5812

Attorneys for Plaintiff,  
LAMONTE TUMBLING

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

LAMONTE TUMBLING,	)	Case No. 1:08-CV-01801-LJO-DLB
	)	
Plaintiff,	)	<b>JOINT STIPULATION AND ORDER TO</b>
	)	<b>DISMISS</b>
v.	)	
	)	<b>JUDGE:</b> Lawrence J. O'Neill
MERCED IRRIGATION DISTRICT, a	)	<b>COURTROOM:</b> 4
public entity	)	
	)	
Defendant.	)	

Plaintiff LaMonte Tumblng and Defendant Merced Irrigation District, through undersigned counsel, move the Court for an order dismissing the above-captioned matter.

The parties have reached an amicable resolution to the above-captioned matter, with the result that plaintiff has agreed to dismiss all claims filed herein against defendant, and to have the matter dismissed, with prejudice, with each party to bear its own costs and fees.

1 WHEREFORE, plaintiff and defendant move the Court to grant their Joint Motion to  
2 Dismiss, by dismissing plaintiff's claims with prejudice and ordering that each party bear its own  
3 costs and fees.

4 Dated: December 9, 2010

Daley & Heft, LLP

5 By: /s/ Neal S. Meyers

NEAL S. MEYERS

MATTHEW T. RACINE

Attorneys for Defendant,

MERCED IRRIGATION DISTRICT

9 Dated: December 9, 2010

MURRAY & ASSOCIATES

10 By: /s/ Lawrence D. Murray

LAWRENCE D. MURRAY

Attorney for Plaintiff,

LAMONTE TUMBLING

13 Dated: December 9, 2010

LAW OFFICE OF DEAN B. GORDON

14 By: /s/ DEAN B. GORDON

DEAN B. GORDON

Attorney for Plaintiff,

LAMONTE TUMBLING

17 **ORDER ON JOINT MOTION TO DISMISS**

18 The Court, having considered the foregoing Joint Motion to Dismiss, filed on behalf of  
19 Plaintiff LaMonte Tumbling and Defendant Merced Irrigation District, ORDERS:

20 IT IS HEREBY ORDERED that the Joint Motion to Dismiss is granted.

21 IT IS FURTHER ORDERED that all of plaintiff's claims filed against defendant in the  
22 above-captioned action are dismissed, with prejudice, with each party to bear its own costs and  
23 fees. The Clerk of Court is directed to close this action in its entirety.

24 IT IS SO ORDERED.

25 Dated: December 9, 2010

/s/ Lawrence J. O'Neill

UNITED STATES DISTRICT JUDGE