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16 **UNITED STATES DISTRICT COURT**

17 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

18 LAMONTE TUMBLING,) Case No. 1:08-CV-01801-LJO-DLB
19 Plaintiff,)
19) **JOINT STIPULATION AND ORDER TO**
20 v.)
20) **DISMISS**
21 MERCED IRRIGATION DISTRICT, a)
21 public entity) **JUDGE:** Lawrence J. O'Neill
22)
22) **COURTROOM:** 4
23 Defendant.)
23 _____)

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

26 The parties have reached an amicable resolution to the above-captioned matter, with the
27 result that plaintiff has agreed to dismiss all claims filed herein against defendant, and to have the
28 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
6 NEAL S. MEYERS
7 MATTHEW T. RACINE
8 Attorneys for Defendant,
9 MERCED IRRIGATION DISTRICT

10 Dated: December 9, 2010

MURRAY & ASSOCIATES

11 By: /s/ Lawrence D. Murray
12 LAWRENCE D. MURRAY
13 Attorney for Plaintiff,
14 LAMONTE TUMBLING

15 Dated: December 9, 2010

LAW OFFICE OF DEAN B. GORDON

16 By: /s/ DEAN B. GORDON
17 DEAN B. GORDON
18 Attorney for Plaintiff,
19 LAMONTE TUMBLING

ORDER ON JOINT MOTION TO DISMISS

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

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

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

26 IT IS SO ORDERED.

27 Dated: December 9, 2010

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