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**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

THAD YOUNG and SANDRA YOUNG,)	1:09-CV-115 AWI GSA
)	
Plaintiffs,)	
v.)	AMENDED ORDER OF
)	DISMISSAL AS TO
CITY OF VISALIA, et al.,)	DEFENDANT MARIO KRSTIC
)	AND TROY EVERETT
Defendants.)	
_____		(Doc. No. 84)

On June 9, 2011, the parties filed a Rule 41 stipulation for dismissal of certain parties. See Doc. No. 83. The stipulation provided for the dismissal with prejudice of Defendant Mario Krstic from the entirety of the case. See id. The stipulation also provided that all claims by Sandra Young against Troy Everett were dismissed with prejudice. See id. The stipulation was signed by all parties. See id.

On June 13, 2011, the Court issued an order directing the Clerk to dismiss Defendants Krstic and Everett entirely from the case. The docket reflects that both Krstic and Everett were terminated entirely from the case. However, as discussed above, the stipulation provided only for the dismissal of Sandra Young’s claims against Everett. Plaintiff Thad Young did not dismiss his claims against Everett. The Court will issue this amended order so as to accurately reflect the June 9 stipulation.

Pursuant to the June 9 stipulation (Doc. No. 83) and the provisions of Rule 41(a), the

1 Court will again give effect to the stipulation and confirm the dismissal Defendant Mario Krstic
2 from this case with prejudice. See Doc. No. 83; Fed. R. Civ. Pro. 41(a); Wilson v. City of San
3 Jose, 111 F.3d 688, 692 (9th Cir. 1997); Carter v. Beverly Hills Sav. & Loan Asso., 884 F.2d
4 1186, 1191 (9th Cir. 1989); In re Wolf, 842 F.2d 464, 466 (D.C. Cir. 1989). Additionally,
5 Plaintiff Sandra Young's claims against Troy Everett are dismissed with prejudice. See id.
6 Plaintiff Thad Young's claims against Troy Everett remain in force.

7
8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. The Court's June 13, 2011, order (Document No. 84) is AMENDED;
- 10 2. Defendant Mario Krstic is DISMISSED from the entirety of this case with prejudice
11 pursuant to the June 9, 2011, stipulation and Rule 41;
- 12 3. Plaintiff Sandra Young's claims against Troy Everett are DISMISSED with prejudice;
13 and
- 14 4. The Clerk shall correct the docket to reflect that Defendant Troy Everett remains an
15 active defendant in this case.

16 IT IS SO ORDERED.

17 Dated: June 14, 2011

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CHIEF UNITED STATES DISTRICT JUDGE