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8
 9 **UNITED STATES DISTRICT COURT**
 10 **EASTERN DISTRICT OF CALIFORNIA**

11 WILLIAM ROBINSON,) 1:09-cv-00166-LJO-GSA
) consolidated with 09-cv-1403
 12) (lead case)
 Plaintiff,)
)
 13 v.) **STIPULATION AND ORDER FOR**
) **DISMISSAL OF CLAIMS AND TO**
 14) **CONSOLIDATE CASES**
)
 15 KAWEAH DELTA HOSPITAL; KAWEAH)
 DELTA HEALTH CARE DISTRICT;)
 16 FAMILY HEALTH CARE NETWORK;)
 PARLEY MADSEN, III, M.D., and)
 17 AMANDA SEGARS, P.A.; and DOES)
 1 through 100, inclusive,)
 18 Defendants.)
 19)

20 The parties, by and through their attorneys, hereby
 21 stipulate and agree and request that the Court order as follows:

22 1. Plaintiff's claims against Kaweah Delta Hospital and
 23 Kaweah Delta Health Care District shall be dismissed with
 24 prejudice from this matter only, Case No. 1:09-cv-00166-LJO-GSA.

25 2. Thereafter this action shall be consolidated for all
 26 purposes with William Robinson v. Kaweah Delta Hospital et al.,
 27 Case No. 1:09-cv-01403-LJO-GSA, because the actions involve

1 common parties, common claims and common witnesses, and
2 consolidation serves the interests of judicial economy and
3 convenience of the Court and the parties.

4 3. All further filings in these cases shall be made under
5 Case No. 1:09-cv-01403-LJO-GSA.

6 Respectfully submitted,
7 Dated: December 7, 2009. BENJAMIN B. WAGNER
8 United States Attorney

9 By: /s/ Benjamin E. Hall
10 BENJAMIN E. HALL
11 Assistant U.S. Attorney
Attorneys for Defendant
United States of America

12 Dated: December 7, 2009. LAW OFFICES OF WILLIAM H.
13 NEWKIRK

14 [Authorized 12/4/09]
15 By: /s/ William H. Newkirk
16 WILLIAM H. NEWKIRK
Attorneys for Plaintiff

17 Dated: December 7, 2009. NELSON & ROZIER
18 [Authorized 12/3/09]
19 By: /s/ Jeffery S. Nelson
20 JEFFERY S. NELSON
21 Attorneys for Defendants
Kawah Delta Hospital and
Kawah Delta Health Care
District

22 **ORDER**

23 Plaintiff's claims against Kaweah Delta Hospital and Kaweah
24 Delta Health Care District shall be dismissed with prejudice from
25 this matter only, Case No. 1:09-cv-00166-LJO-GSA. The remainder
26 of the above entitled action shall be consolidated with William
27 Robinson v. Kaweah Delta Hospital et al., Case No. 1:09-cv-01403-

1 LJO-GSA, which shall be the lead case. All further filings shall
2 be made solely in the lead case.

3 IT IS SO ORDERED.

4 **Dated: December 8, 2009**

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

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