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6 Attorneys for Defendants, CITY OF FRESNO, CITY OF FRESNO POLICE DEPARTMENT  
7 and OFFICER CARR

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

10 LAWRENCE AZEVEDO, ) CASE NO. 1:09-CV-00375 AWI DLB  
11 Plaintiff )  
12 vs. ) **STIPULATION AND ORDER DISMISSING**  
13 CITY OF FRESNO, CITY OF FRESNO ) **THIRD CLAIM FOR RELIEF**  
14 POLICE DEPARTMENT and OFFICER )  
KARR, and DOES 1 to 10, Inclusive, )  
15 Defendants. )  
16 ) Trial Date: August 3, 2010

17 Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, plaintiff LAWRENCE  
18 AZEVEDO, by and through his attorney of record, John Fattahi, Esq., stipulates to the dismissal,  
19 with prejudice, of the Third Claim for Relief in the Complaint which alleges denial of timely  
20 medical attention in violation of plaintiff's Fourteenth Amendment rights. Each party is to bear  
21 their own costs.

22  
23 DATED: April 6, 2010

WEAKLEY, ARENDT & MCGUIRE, LLP

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25 By: /s/ Rosemary T. McGuire  
26 Rosemary T. McGuire  
Attorneys for Defendants

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DATED: April 6, 2010

LAW OFFICES OF DALE K. GALIPO

By: /s/ John Fattahi  
John Fattahi  
Attorneys for Plaintiff

**ORDER**

IT IS SO ORDERED.

**Dated: April 8, 2010**

/s/ Anthony W. Ishii  
CHIEF UNITED STATES DISTRICT JUDGE