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7 *Attorneys for Defendant Shane Kensey*

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10 FRESNO DIVISION

11
12 **MAUREEN ABSTON, et al.,**
13
14 **v.**
15 **CITY OF MERCED, et al.,**
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Plaintiff,

Defendants.

1:09-CV-00511 OWW GSA

**STIPULATION FOR DISMISSAL,
WITHOUT PREJUDICE, OF
DEFENDANT SHANE KENSEY AND
ORDER THEREON**

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1 IT IS HEREBY STIPULATED by and between the parties to this action, plaintiffs Maureen
2 Abston; Corey Abston; Jacy Abston and Linda Abston, proceeding through counsel, and
3 defendant Shane Kensey proceeding through his counsel of record, that the above-captioned
4 action be and hereby is dismissed, without prejudice, pursuant to Federal Rule of Civil Procedure
5 41(a)(1)(ii).

6 Dated: March 26, 2010

LAW OFFICE OF JOHN L. BURIS
/s/ Benjamin Nisenbaum

BENJAMIN NISENBAUM
Attorney for Plaintiffs Maureen Abston; Corey
Abston; Jacy Abston and Linda Abston

11 Dated: March 26, 2010

EDMUND G. BROWN JR.
Attorney General of California
James M. Schiavenza
Senior Assistant Attorney General

/s/ Steven M. Gevercer

STEVEN M. GEVERCER
Supervising Deputy Attorney General
Attorneys for Defendant Shane Kensey

18 Dated: March 26, 2010

LOW, BALL & LYNCH

/s/ Dale L. Allen, Jr.

DALE L. ALLEN, JR.
Attorneys for Defendants
City of Merced; Russ Thomas; J. Hart; B.
Dalia; & N. Arellano

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Order

In light of the stipulation filed with the court and signed by all parties agreeing to the voluntary dismissal of defendant Shane Kensey, IT IS HEREBY ORDERED that defendant Shane Kensey is dismissed from this action.

IT IS SO ORDERED.

Dated: March 30, 2010

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE