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

TIMOTHY DAUBERT, )  
 )  
 Plaintiff, )  
 )  
 )  
 vs. )  
 )  
 CITY OF LINDSAY, )  
 )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

1:09-cv-1338 GSA

ORDER DISMISSING ACTION

Pursuant to the stipulation of dismissal filed by the parties on August 25, 2010, this action is DISMISSED with prejudice pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. Each party is to bear its own attorney's fees and costs. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

**Dated: August 27, 2010**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE