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**FILED**

JUL 27 2011

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY   
DEPUTY CLERK

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6 Attorneys for Plaintiffs:  
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9 **UNITED STATES DISTRICT COURT**  
10 **FOR THE EASTERN DISTRICT OF California**

11 LATOYA MCKENZIE, et al.

12 Plaintiffs

13 v.

14 KERN COUNTY, et al

15 Defendants.  
16 *Latoya McKenzie et al. vs. Kern County, et al.*

CASE NUMBER:

09-CV-01658-AWI-DLB

Assigned to Magistrate Judge  
Dennis L. Beck

**STIPULATION TO DISMISS  
PLAINTIFF'S CLAIMS WITH  
PREJUDICE; [~~PROPOSED~~] ORDER  
THEREON  
[F.R.C.P. 41]**

17  
18 **COMES NOW**, the Parties herein, by and through their respective counsel

19 of record, Tyler R. Dowdall, Esq. of SAYRE & LEVITT, LLP for Plaintiff LaToya

20 McKenzie, Chastity McKenzie, Rory McKenzie, Jr., Zilah Peoples, Amiya

21 McKenzie, Zikirah Harris, Jamarri Joiner and the Estate of Rory McKenzie,

22 Andrew C. Thomson, Deputy, Office of Kern County Counsel, for Defendants

23 County of Kern, Kern County Sheriff's Office, Otis Whinery, Douglas Jauch,

24 Edward Tucker and Patrick Neal (hereinafter collectively "Kern Defendants") and

1 Mildred K. O'linn, Esq. of Manning & Kass Ellrod Ramirez Trestor, counsel for  
2 Defendant Taser International, Inc. with the authority of their respective clients,  
3  
4 agree as follows:

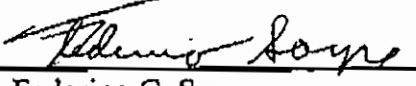
5 1. Plaintiffs LaToya McKenzie, Chastity McKenzie, Rory McKenzie,  
6 Jr., Zilah Peeples, Amiya McKenzie, Zikirah Harris, Jamarri Joiner and the Estate  
7 of Rory McKenzie will voluntarily dismiss their claims against all defendants  
8 pursuant to *F.R.C.P.* Rule 41(a), with prejudice.

9  
10 2. Defendants agree to waive all costs of litigation, and to waive all  
11 accrued attorneys' fees, to the extent any would be recoverable against these  
12 plaintiffs.  
13

14 **IT IS SO STIPULATED.**

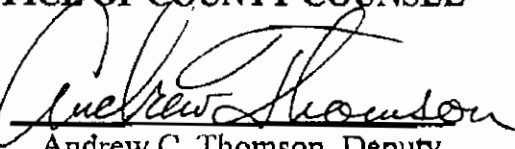
15  
16 DATED: July <sup>25</sup>25, 2011

**SAYRE & LEVITT, LLP**

17 By:   
18 Federico C. Sayre  
19 Attorneys for Plaintiffs

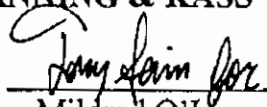
20 DATED: July 26, 2011

**OFFICE OF COUNTY COUNSEL**

21  
22 By:   
23 Andrew C. Thomson, Deputy  
24 Attorneys for Kern Defendants

25 DATED: July 26, 2011

**MANNING & KASS**

26 By:   
27 Mildred O'Linn  
28 Attorneys for Defendants TASER

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**ORDER**

**THE COURT** having been advised by counsel for the parties that the above-entitled action has settled, and good cause appearing therefore;

**IT IS ORDERED** that this action is hereby dismissed with prejudice. Each party to bear its own costs and attorneys' fees.

**IT IS SO ORDERED.**

Dated: July 27, 2011

  
~~HON. DENNIS L. BECK~~ Anthony Ishii  
UNITED STATES MAGISTRATE JUDGE