

BETTS & RUBIN, A Professional Corporation

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Attorneys for Defendants CITY OF FRESNO, JERRY DYER

UNITED STATES DISTRICT COURT

## EASTERN DISTRICT OF CALIFORNIA

GLEN BEATY,

) Case No. 1:09-CV-01684- LJO-GSA

**Plaintiff,**

STIPULATION AND ORDER  
FOR DISMISSAL OF CLAIMS IN  
FIRST AMENDED COMPLAINT

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CITY OF FRESNO; JERRY DYER; individually and in his official capacity as the Chief of Police for the Fresno Police Department; JEFFREY GROSS, individually and in his official capacity as Police Sergeant for the Fresno Police Department; SCOTT PAYN, individually and in his official capacity as Police Officer for the Fresno Police Department, and DOES 1 through 50, inclusive,

## Defendants.

The parties, through their respective counsel of record, hereby stipulate as follows:

1. Plaintiff dismisses his punitive damage claim against the City of Fresno; and

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1           2. Plaintiff dismisses his claim for statutory damages (except attorney's  
2 fees and costs) without prejudice.  
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6           Dated: April 29, 2010

LAW OFFICES OF RUSSELL D. COOK

7           By /s/ Russell D. Cook  
8           Russell D. Cook, Esq.  
9           Attorneys for Plaintiff GLEN BEATY

10           Dated: April 29, 2010

BETTS & RUBIN

11           By /s/ Joseph D. Rubin  
12           Joseph D. Rubin  
13           Attorneys for Defendants CITY OF FRESNO  
14           and JERRY DYER

15           Dated: April 29, 2010

WEAKLEY, ARENDT & MCGUIRE, LLP

16           By /s/ Rosemary T. McGuire  
17           Rosemary T. McGuire, Esq.  
18           Attorneys for Defendants JEFFREY GROSS  
19           and SCOTT PAYN

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23           IT IS SO ORDERED.

24           Dated: April 29, 2010

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