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18 SHAFTER POLICE DEPARTMENT,
CHARLIE FIVECOAT, and CITY OF SHAFTER

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24 Attorney for Defendant
MATTHEW SHELTON
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1 **UNITED STATES DISTRICT COURT**
2 **EASTERN DISTRICT OF CALIFORNIA**

3 HILARIO BARRAZA,

4 Plaintiff,

5 v.

6 SHAFTER POLICE DEPARTMENT;
7 MATTHEW SHELTON; CHARLIE
8 FIVECOAT; and CITY OF SHAFTER,

9 Defendants.

No. 1:10-cv-01090-LJO-JLT

STIPULATION AND ORDER

10 Plaintiff Hilario Barraza and Defendants Shafter Police Department and City of Shafter
11 (“Defendants”) respectfully request that the Court order this jointly submitted Stipulation.

12 Upon the oral representation of Defense Counsel Bruce Praet and Larry Peake at the
13 Scheduling Conference before Magistrate Judge Jennifer L. Thurston on January 5, 2011, that the
14 Shafter Police Department is not a separate legal entity from the City of Shafter, and that the
15 policies governing the Shafter Police Department are not different from those governing the City
16 of Shafter, Plaintiff agrees to remove Shafter Police Department as a Defendant.

17 IT IS HEREBY STIPULATED AND AGREED by and between the Attorneys for
18 Plaintiff Hilario Barraza and for Defendants Shafter Police Department, City of Shafter, Charlie
19 Fivecoat, and Matthew Shelton, that Defendant Shafter Police Department be dismissed without
20 prejudice.
21

22
23 DATED: January 13, 2011

CHAPIN FITZGERALD SULLIVAN LLP

24 /s/ Douglas J. Brown
25 Edward D. Chapin, Esq.
26 Douglas J. Brown, Esq.

27 SANFORD WITTELS & HEISLER, LLP
28 Steven L. Wittels, Esq.
Deepika Bains, Esq.

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Attorneys for Plaintiff
HILARIO BARRAZA

DATED: January 13, 2011

FERGUSON, PRAET & SHERMAN

/s/ Bruce D. Praet
Bruce D. Praet, Esq.

Attorneys for Defendants
SHAFTER POLICE DEPARTMENT; CHARLIE
FIVECOAT DISTRIBUTORS; and CITY OF
SHAFTER

DATED: January 13, 2011

WALL, WALL & PEAKE

/s/ Larry F. Peake
Larry Fred Peake, Esq.

Attorney for Defendant
MATTHEW SHELTON

SO ORDERED:

January 13, 2011

/s/ Lawrence J. O'Neill
Honorable Lawrence J. O'Neill
U.S. District Judge