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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MIGUEL RODRIGUEZ and CHARISSE  
FERNANDEZ,

Plaintiffs,

v.

CITY OF MODESTO, a municipal corporation;  
RON CLOWARD, Lieutenant; JOHN  
BUEHLER, Sergeant; JAMES MURPHY,  
RONNY ZIYA, MARK FONTES and  
KALANI SOUZA, Police Officers, in their  
individual and official capacities; and Does 1  
through 10,

Defendants.

Case No: 10-cv-01370 LJO MJS

**STIPULATION AND ORDER FOR  
DISMISSAL OF ALL CLAIMS**

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**STIPULATION**

The parties to the above-entitled action, by and through their respective counsel of record, hereby stipulate and agree as follows:

1. The Parties have reached a collective settlement on all issues raised in this matter. The terms of which are set forth in a written agreement.

2. The Parties seek to dismiss all claims presented in the Second Amended Complaint with prejudice pursuant to the terms of the respective settlement agreements, as more fully set forth within the Settlement Agreements and Releases executed by and between the Parties.

3. The terms of the settlement have been fully performed by issuance of a check in the amount of \$165,000.00 (one hundred and sixty-five thousand and no cents), which Plaintiff has requested be made to “Miguel Rodriguez, Charisse Fernandez, Steven R. Yourke and John L. Burris” and was delivered to the Law Offices of Steven R. Yourke.

4. The parties wish to dismiss the entire action with prejudice.

WHEREFORE, the parties hereby stipulate and agree as follows:

1. The above-captioned case shall be dismissed with prejudice in its entirety pursuant to Fed. R. Civ. P. 41.

2. Each side shall bear its own attorneys’ fees and costs.

IT IS SO STIPULATED.

DATED: MEYERS, NAVE, RIBACK, SILVER & WILSON

By: \_\_\_\_\_  
Blake P. Loeb  
Attorneys for Defendants  
CITY OF MODESTO, RON CLOWARD, JOHN  
BUEHLER, JAMES MURPHY,  
RONNY ZIYA, MARK FONTES and KALANI  
SOUZA

(Signatures continue on following page)

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DATED:

LAW OFFICE OF STEVEN R. YOURKE

By:

\_\_\_\_\_  
Steven R. Yourke  
Attorneys for Plaintiffs MIGUEL RODRIGUEZ  
and CHARISSE FERNANDEZ

DATED:

LAW OFFICE OF JOHN BURRIS

By:

\_\_\_\_\_  
John L. Burris  
Attorneys for Plaintiffs MIGUEL RODRIGUEZ  
and CHARISSE FERNANDEZ

**ORDER**

IT IS HEREBY ORDERED that, pursuant to the stipulation of the parties which is recited above.

IT IS FURTHER ORDERED that, pursuant to the same stipulation, as to each and every cause of action so dismissed pursuant to this stipulation and order, each party shall bear his, her or its own costs of litigation, including attorneys' fees.

IT IS SO ORDERED.

Dated: July 24, 2015

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