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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION  
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11 REX GARCIA,  
12 Plaintiff,  
13 v.  
14 COUNTY OF FRESNO,  
15 Defendant.

Case No. 1:13-CV-00783 BAM

**STIPULATION FOR DISMISSAL WITH  
PREJUDICE, WAIVER OF RIGHTS OF  
APPEAL AND ORDER APPROVING  
SETTLEMENT AND DISMISSING  
ACTION**

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IT IS HEREBY STIPULATED by and between Plaintiff REX GARCIA and Defendant COUNTY OF FRESNO that the Complaint filed herein shall be dismissed with prejudice, that Plaintiff REX GARCIA waives all rights of appeal in connection with this action and that all parties shall bear their own costs and attorney's fees.

Dated: September 22, 2016

McCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP

By:           /s/ Christina C. Tillman            
Michael G. Woods  
Christina C. Tillman  
Attorneys for Defendant COUNTY OF FRESNO

Dated: September 30, 2016

MESSING, ADAM & JASMINE, LLP

By:           /s/ James W. Henderson, Jr.            
James W. Henderson, Jr.  
Attorneys for Plaintiff  
REX GARCIA

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**ORDER**

Based on the Stipulation of the parties hereto, the Declaration of James W. Henderson, Jr. Esq. in Support of Settlement, the Court's review of the Settlement Agreement, the Court's knowledge of the case and good cause appearing therefor,

The Court hereby approves the settlement between the Defendant and the Plaintiff and IT IS ORDERED that the Complaint of Plaintiff REX GARCIA, is dismissed with prejudice and that Plaintiff REX GARCIA has waived any right of appeal in connection with this matter. The respective parties shall each bear their own costs and attorney's fees.

IT IS SO ORDERED.

Dated: November 1, 2016

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE