

1 Daniel O. Jamison, Esq. #76880  
2 Christopher E. Seymour, Esq. # 126330  
3 DOWLING AARON INCORPORATED  
4 8080 N. Palm Avenue  
5 Third Floor  
6 Fresno, CA 93711  
7 559-432-4500 Tel.  
8 559-432-4590 Fax  
9 [djamison@dowlingaaron.com](mailto:djamison@dowlingaaron.com); [cseymour@dowlingaaron.com](mailto:cseymour@dowlingaaron.com)  
10 Attorneys for Plaintiffs

11 UNITED STATES DISTRICT COURT  
12 EASTERN DISTRICT OF CALIFORNIA

13 Horisons Unlimited, a California nonprofit  
14 corporation, and Horisons Unlimited Health  
15 Care, a California corporation,

16 Plaintiffs,

17 vs.

18 Santa Cruz-Monterey-Merced Managed  
19 Medical Care Commission dba Central  
20 California Alliance for Health; County of  
21 Merced; The Board of Supervisors of the  
22 County of Merced and the  
23 Individual Members Thereof,

24 Defendants.

Case No. 1:14-cv-00123 LJO/MJS

**STIPULATION FOR DISMISSAL  
WITHOUT PREJUDICE OF THE BOARD  
OF SUPERVISORS OF THE COUNTY OF  
MERCED AND THE INDIVIDUAL  
MEMBERS THEREOF AND ORDER  
THEREON**

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It is hereby stipulated and agreed between the parties hereto, by and through the undersigned, that the Court may enter its order that (1) injunctive relief, if any, ordered against the County of Merced shall be binding upon the Board of Supervisors of the County of Merced and the Individual Members thereof in their Official Capacity, (2) the Board of Supervisors of the County of Merced and the Individual Members thereof be dismissed without prejudice, (3) the County of Merced shall remain a defendant, (4) each of Plaintiffs, on the one hand, and the Board of Supervisors of the County of Merced and the Individual Members thereof, on the other hand, shall bear its/his/her own Court costs, other expenses and attorney fees as between them in connection with this dismissal without prejudice; (5) County of Merced does not waive its right, if any, to proceed for attorneys fees and other sanctions under Federal Rules of Civil Procedure, rule 11, 42 U.S.C. §1988, or otherwise. Should the Board of Supervisors or members of the Board of Supervisors be added to the case, then they also will not waive their rights, if any, to proceed for attorneys fees and other sanctions under Federal Rules of Civil Procedure, rule 11, 42 U.S.C. §1988, or otherwise; and (6) all of each Plaintiff's rights, if any, as to the County of Merced are preserved and nothing herein shall be deemed to affect those rights.

DOWLING AARON INCORPORATED

Dated: \_\_\_\_\_ 2014

By: /s/Daniel O. Jamison  
Daniel O. Jamison  
Attorneys for Plaintiffs

Dated: \_\_\_\_\_ 2014

By: /s/Roger S. Matzkind  
Roger S. Matzkind, Esq.,  
Merced County Counsel  
Attorneys for County of Merced,  
"Board of Supervisors of the County  
of Merced, and the Individual Members  
thereof in their official capacity only".

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ORDER

Based on the above stipulation, IT IS SO ORDERED.

IT IS SO ORDERED.

Dated: March 4, 2014

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