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14 **Attorneys for Defendants County of Kern, Deputy Bravo,**
15 **Detectives Brewer, Rutledge, Kimmel, and Sergeant Smallwood**

16 **UNITED STATES DISTRICT COURT**

17 **EASTERN DISTRICT OF CALIFORNIA**

18 **FRANCISCO ARRIETA, et. a1.**) **CASE NO.: 1:15-cv-00706-LJO JLT**
19)
20 **Plaintiffs,**) **LEAD CASE NO:1:14-cv-00400 LJO JLT**
21 **v.**)
22) **Member Case Nos**
23 **COUNTY OF KERN, DETECTIVE**) **1:14-cv-00401 LJO JLT**
24 **BREWER, DETECTIVE KIMMEL,**) **1:14-cv-00402 LJO JLT**
25 **SARGENT SMALLWOOD ,and**) **1:14-cv-00403 LJO JLT**
26 **DOES 1 to 100, Inclusive,**) **1:14-cv-00404 LJO JLT**
27) **1:14-cv-00717 LJO JLT**
28 **Defendants.**)
) **STIPULATION FOR DISMISSAL OF**
) **DEFENDANTS; [PROPOSED] ORDER**
) **CLOSING CASE**
)
)

29 **COME NOW** the Parties to this matter, and stipulate that the entire matter, including all
30 cases against Defendants County of Kern, Bravo, Brewer, Rutledge, Kimmel, and Smallwood
31 should be dismissed with prejudice.

32 Plaintiffs Maria Melendez, Melissa Quair, Sulina Quair, Francisco Arrieta, Laura
33 Vasquez, and T.A., a minor, by and through his guardian ad litem Maria Guerrero (hereinafter

1 collectively "Plaintiffs"), are represented by their counsel of record Daniel Rodriguez and
2 Chantal Trujillo, of Rodriguez & Associates.

3 Defendants County of Kern, Defendants Bravo, Brewer, Rutledge, Kimmel, and
4 Smallwood (hereinafter collectively "Defendants") are represented by their counsels of record
5 Leonard C. Herr of Herr Pedersen & Berglund and Andrew C. Thomson of the Office of Kern
6 County Counsel.

7 Plaintiffs and Defendants (hereinafter collectively identified as the "Parties") stipulate
8 and provide as follows:

9 **IT IS HEREBY STIPULATED** by and between the Parties to this action through their
10 designated counsel, that all of the above-captioned cases be dismissed with prejudice in their
11 entireties as to each and every complaint, allegation and/or cause of action against Defendants;
12 specifically Plaintiffs agree to the dismissal of the entire applicable multi-case action, including
13 all complaints and/or causes of action filed by Plaintiffs, as against each and every Defendant
14 named in any and all of the aforementioned applicable multi-case actions.

15 **IT IS FURTHER STIPULATED** that the aforementioned dismissal is in consideration
16 of a resolution of the matter by the Parties, and that each party hereby agrees to bear all of their
17 own costs and attorney's fees with respect to this litigation.

18 Dated: March 7, 2017

RODRIGUEZ & ASSOCIATES

19 By /s/ Chantal A. Trujillo
20 Daniel Rodriguez and Chantal A. Trujillo
21 Attorneys for Plaintiffs

22 Dated: March 7, 2017

**HERR PEDERSEN & BERGLUND, and
OFFICE OF KERN COUNTY COUNSEL**

23 By /s/ Andrew C. Thomson
24 Leonard C. Herr and Andrew C. Thomson
25 Attorneys for Defendants

ORDER

1
2 The parties have filed a stipulation to dismiss this action. (Doc. 22) Federal Rules of Civil
3 Procedure 41(a)(1) provides, “the plaintiff may dismiss an action without a court order by filing:
4 . . . a stipulation of dismissal signed by all parties who have appeared.” . . .” Fed. R. Civ. P. 41(a).
5 Once such a notice has been filed, an order of the Court is not required to make the dismissal
6 effective. Fed. R. Civ. P. 41(a)(1)(ii); Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir.
7 1997). Thus, the Clerk of Court is DIRECTED to close this action in light of the stipulation as
8 dictated by Rule 41(a).
9

10
11 IT IS SO ORDERED.

12 Dated: March 10, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE