Dennis R. Thelen, SBN 83999 1 Kevin E. Thelen, SBN 252665 LAW OFFICES OF 2 LeBeau • Thelen, LLP 5001 East Commercenter Drive, Suite 300 3 Post Office Box 12092 Bakersfield, California 93389-2092 4 (661) 325-8962; Fax (661) 325-1127 (dthelen@lebeauthelen.com) 5 (kthelen@lebeauthelen.com) Attorneys for Defendants 6 County of Tulare, Pavel Mundl, M.D., 7 and Rodolfo Vicente, M.D. 8 9 IN THE UNITED STATES DISTRICT COURT 10 FOR THE EASTERN DISTRICT OF CALIFORNIA 11 12 D.L. Case No.: 1:14-CV-00824-AWI-BAM Plaintiff, 13 STIPULATION AND ORDER REGARDING DISMISSAL OF 14 DEFENDANTS PAVEL MUNDL, M.D. VS. AND RODOLFO VICENTE, M.D. 15 MARGARET VASSILEV, M.D.; RODOLFO VICENTE, M.D.; MARK WISEMAN, M.D.; PAVEL MUNDL, M.D.; COUNTY OF 16 TULARE: KAWEAH DELTA HEALTHCARE DISTRICT: SANDRA BOSMAN, M.D.: 17 UNITED STATES OF AMERICA; LORI ANN M. BOKEN, M.D.; T. PLUNKETT, RNC; D. 18 BRACKETT, RNC; B. BROWN, RNFA; and 19 DOES 1 to 50, 20 Defendants. 21 TO THE COURT, ALL PARTIES, AND RESPECTIVE COUNSEL OF RECORD: 22 Plaintiff D.L., a minor, by and through his Guardian Ad Litem, Kari Ann Junio, and through his 23 counsel of record Mark Wade Coleman, Esq., and defendants Rodolfo Vicente, M.D. and Pavel Mundl, 24 M.D., through their counsel of record Kevin E. Thelen, Esq., hereby stipulate and agree to dismiss 25 defendants Rodolfo Vicente, M.D. and Pavel Mundl, M.D., with prejudice, from the above-captioned 26 27 action in exchange for a waiver of costs. 28 {00225044;1}

1	This agreement between the parties	s was reached following arms-length negotiations about a
2	potential resolution to the case between counsel for plaintiff and counsel for Dr. Mundl and Dr. Vicente	
3	This dismissal of Dr. Mundl and Dr. Vicente shall be effective immediately upon the execution	
4	of the enclosed Proposed Order filed herein with the Court.	
5	IT IS SO STIPULATED.	
6		
7	Date: March 1, 2019	NUTTALL COLEMAN & DRANDELL
8		/a/Mark W. Calaman
9		/s/ Mark W. Coleman By:
10		MARK W. COLEMAN, ESQ. Attorneys for plaintiff D.L., by and through his
11		Guardian ad Litem, Kari Ann Junio
12		
13	Dated: March 1, 2019	LeBEAU-THELEN, LLP
14		By: /s/ KEVIN E. THELEN
15		DENNIS R. THELEN, ESQ.
16		KEVIN E. THELEN, ESQ. Attorneys for Defendants
17		COUNTY OF TULARE, PAVEL MUNDL, M.D., AND RODOLFO VICENTE, M.D.
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ORDER The parties have stipulated that the action brought by Plaintiff D.L., a minor, by and through his Guardian Ad Litem, Kari Ann Junio, against Defendants Rodolfo Vicente, M.D. and Pavel Mundl, M.D. be dismissed with prejudice in exchange for a waiver of costs. In light of the parties' stipulation, Plaintiff's action against Defendants Rodolfo Vicente, M.D. and Pavel Mundl, M.D. only is terminated by operation of law without further order from the Court. Fed. R. Civ. P. 41(a)(1)(A)(ii). The motions for summary judgment currently set for hearing on March 15, 2018 (Doc. Nos. 72, 73), and all other pending dates and matters pertaining to Defendants Rodolfo Vicente, M.D. and Pavel Mundl, M.D., are VACATED. The Clerk of the Court is directed to update the docket by terminating Defendants Rodolfo Vicente, M.D. and Pavel Mundl, M.D. and **not** close this action. IT IS SO ORDERED. /s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE Dated: **March 4, 2019**

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