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9 Attorneys for Plaintiffs
 BALJIT ATHWAL and DALJIT ATWAL

11 UNITED STATES DISTRICT COURT
 12 EASTERN DISTRICT OF CALIFORNIA

13 BALJIT ATHWAL and DALJIT ATWAL,
 14 Plaintiffs,

15 v.

16 COUNTY OF STANISLAUS; CITY OF
 17 MODESTO; STANISLAUS COUNTY
 OFFICE OF THE DISTRICT
 18 ATTORNEY; KIRK BUNCH; JON
 EVERS; DALE LINGERFELT; STEVE
 19 JACOBSON; BIRGIT FLADAGER; and
 GALEN CARROLL,

20 Defendants.

Case No. 1:15-cv-00311-TLN-BAM

Honorable Troy L. Nunley

**JOINT STIPULATION AND
 ORDER DISMISSING CERTAIN
 CLAIMS AGAINST
 COUNTY DEFENDANTS**

1 Defendants COUNTY OF STANISLAUS; STANISLAUS COUNTY OFFICE OF THE
2 DISTRICT ATTORNEY; BIRGIT FLADAGER; KIRK BUNCH; DAVE LINGERFELT; and
3 STEVE JACOBSON (“County Defendants”) and Plaintiffs BALJIT ATHWAL, and DALJIT
4 ATWAL (“Plaintiffs”) through their respective counsel, hereby agree and stipulate as follows:

5 1. WHEREAS the County Defendants served Plaintiffs with a motion to dismiss on
6 January 10, 2022;

7 2. WHEREAS Plaintiffs’ counsel and the County Defendants’ counsel have
8 conferred in good faith to narrow their disputes;

9 3. Plaintiffs and the County Defendants stipulate and agree to dismissal of one of
10 the County Defendants, and certain claims (or portions thereof) as follows:

11 4. Defendant Stanislaus County Office of the District Attorney is dismissed.

12 5. The “official capacity” claims against Defendant Birgit Fladager and Kirk Bunch
13 are dismissed.

14 6. The reference to the Fourteenth Amendment in Plaintiffs’ Second Cause of
15 Action is stricken.

1 Dated: April 4, 2022

ARTURO J. GONZALEZ
JESSICA L. GRANT
MATTHEW A. CHIVVIS
ROBERT S. SANDOVAL
MEREDITH L. ANGUEIRA
MORRISON & FOERSTER LLP

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6 By: /s/ Arturo J. González
Arturo J. González

7 *Attorneys for Plaintiffs*
8 BALJIT ATHWAL, DALJIT ATWAL,
9 WALTER W. WELLS and SCOTT
McFARLANE

10
11 Dated: April 4, 2022

PORTER SCOTT
A PROFESSIONAL CORPORATION

12
13
14 By: */s/ John R. Whitefleet
John R. Whitefleet

15 *Attorneys for Defendants*
16 COUNTY OF STANISLAUS, STANISLAUS
17 COUNTY OFFICE OF THE DISTRICT
18 ATTORNEY, BIRGIT FLADAGER,
19 MARLISSA FERRIERA, DAVID HARRIS,
20 KIRK BUNCH, STEVE JACOBSON, CORY
21 BROWN, DALE LINGERFELT, FROLIAN
22 MARISCAL, LLOYD MACKINNON, GREG
23 JONES, KENNETH BARRINGER

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28 * Parties have consented to use of their electronic signature.

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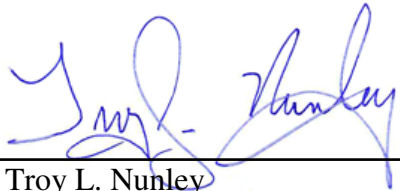
ORDER

Pursuant to the stipulation of the parties:

1. Defendant Stanislaus County Office of the District Attorney is dismissed.
2. The “official capacity” claims against Defendants Birgit Fladager and Kirk Bunch are dismissed.
3. The reference to the Fourteenth Amendment in Plaintiffs’ Second Cause of Action is stricken.

IT IS SO ORDERED.

Dated: April 5, 2022



Troy L. Nunley
United States District Judge