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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; KIRK BUNCH; JON EVERS;
 DALE LINGERFELT; STEVE
 18 JACOBSON; BIRGIT FLADAGER; and
 GALEN CARROLL,
 19 Defendants.

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

Honorable Troy L. Nunley

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

1 Defendants CITY OF MODESTO, JON EVERS, AND GALEN CARROLL (“Modesto
2 Defendants”) and Plaintiffs BALJIT ATHWAL, and DALJIT ATWAL (“Plaintiffs”) through
3 their respective counsel, hereby agree and stipulate as follows:

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

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

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

10 4. The “official capacity” claims against Defendant Galen Carroll are dismissed.

11 5. Plaintiffs’ reference to the Fourteenth Amendment in the Second Cause of Action
12 is stricken.

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Dated: April 5, 2022

ARTURO J. GONZALEZ
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By: /s/ Arturo J. González
ARTURO J. GONZALEZ

Attorneys for Plaintiffs
WALTER W. WELLS and SCOTT
MCFARLANE

Dated: April 5, 2022

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HAZELWOOD & WERTH, LLP

By: *s/ Patrick D. Moriarty
PATRICK D. MORIARTY
DALE L. ALLEN, JR.
JOHN B. ROBINSON

Attorneys for Defendants
CITY OF MODESTO, GALEN CARROLL,
and JON EVERS

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

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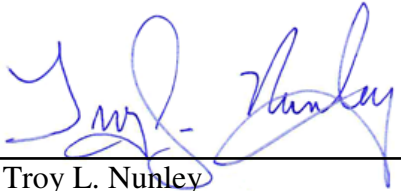
ORDER

Pursuant to the stipulation of the parties:

1. The “official capacity” claims against Galen Carroll are dismissed.
2. Plaintiffs’ reference to the Fourteenth Amendment in the Second Cause of Action is stricken.

IT IS SO ORDERED.

Dated: April 6, 2022



Troy L. Nunley
United States District Judge