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17 Attorneys for Plaintiff Michael Valdez

18 **UNITED STATES DISTRICT COURT**  
19 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

20 MICHAEL VALDEZ, ) CASE NO. 1:17-CV-00430-LJO-EPG  
21 Plaintiff, )  
22 vs. ) **STIPULATION AND ORDER TO**  
23 ) **DISMISS**  
24 HANFORD POLICE OFFICER LARRY )  
25 LEEDS, in his individual capacity; )  
26 HANFORD POLICE DEPARTMENT, a )  
27 municipal public entity; COUNTY OF )  
28 KINGS, CALIFORNIA, a municipal entity;) )  
NAPHCARE, INC., a Delaware )  
corporation; and DOES 1-10, inclusive, )  
Defendants. )

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On April 14, 2017, Plaintiff filed his First Amended Complaint. (Doc. 7) On April 28, 2017, Defendant County of Kings filed a Rule 12(b)(6) motion to dismiss Plaintiff's Fourth Claim for Relief alleging conversion under California law. (Doc. 9) Upon review of the motion, Plaintiff stipulates to dismissal of the Fourth Claim for Relief, without prejudice, as to Defendant County of Kings only. In light of this stipulation, Defendant County of Kings withdraws their motion to dismiss and requests the Court vacate the May 30, 2017, hearing date.

Plaintiff and Defendant County of Kings further stipulate that Defendant County of Kings' Answer to the First Amended Complaint be filed on or before May 19, 2017.

[signatures on next page]

1 DATE: May 5, 2017

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3 WEAKLEY & ARENDT, LLP

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5 By: /s/ James J. Arendt  
6 James J. Arendt  
7 Michelle E. Sassano  
8 Attorneys for Defendants County  
9 of Kings

10 Dated: May 5, 2017

11 RICKETTS & YANG

12 By: /s/ Morgan Ricketts  
13 Morgan Ricketts  
14 Attorneys for Plaintiff Michael Valdez

15 **ORDER**

16 Pursuant to the above stipulation

17 (1) The Fourth Claim for Relief for conversion under California law is

18 DISMISSED without prejudice;

19 (2) The Clerk of Court is directed to administratively terminate the pending  
20 motion to dismiss, Doc. 9, and VACATE the hearing thereon, and.

21 (3) Defendant County of Kings shall file its Answer to the First Amended  
22 Complaint on or before May 19, 2017.

23  
24 IT IS SO ORDERED.

25 Dated: May 9, 2017

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