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 Sheriff Lou Blanas, Captain Mark Iwasa

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 8 **UNITED STATES DISTRICT COURT EASTERN DISTRICT**
 9 **OF CALIFORNIA SACRAMENTO DIVISION**

10 Estate of MATTHEW McEVERS, et al.)	CASE NO. 2:06-CV-02161 LRH (RAM)
11 Plaintiff)	[Consolidated with 2:06-cv-02864]
12 v.)	AMENDED STIPULATION FOR
13 COUNTY OF SACRAMENTO, et al.)	DISMISSAL WITH PREJUDICE
14 Defendants.)	AMENDED [PROPOSED] ORDER
15)	
16)	
17)	

18 COMES NOW, Plaintiffs, Estate of Matthew McEvers, deceased, by and through Brett
 19 McEvers and Gabriel McEvers (minors through their mother and guardian ad litem Shannon
 20 McEvers) and Shannon McEvers, as successors in interest; Brett McEvers, Individually, Gabriel
 21 McEvers, Individually, Shannon McEvers, Individually, and Lynette McEvers, Individually
 22 (Plaintiffs) and Defendants, County of Sacramento, Sheriff Lou Blanas, Captain Mark Iwasa
 23 (erroneously sued herein as the Sacramento County Sheriff’s Department) and Angela Eisentrout
 24 and through their counsel stipulate that this matter may be dismissed with prejudice pursuant to
 25 Rule 41(a) of the Federal Rules of Civil Procedure, of any and all claims, in consideration of
 26 settlement payment from the County of Sacramento to Plaintiffs for amount satisfactory to
 27 Plaintiffs.

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Each party to bear his, her or its own costs and attorneys' fees, including any entitlement to fees or costs pursuant to 42 U.S.C. Section 1988. The parties therefore stipulate that this matter may be dismissed in its entirety with prejudice.

Dated: May 12, 2010

LONGYEAR, O'DEA & LAVRA, LLP

By: */s/ Van Longyear*

VAN LONGYEAR
Attorneys for Defendants, County of Sacramento,
Sheriff Lou Blanas, Captain Mark Iwasa

Dated: May 12, 2010

LAW OFFICE OF STEWART KATZ

By: */s/ Stewart Katz*

STEWART KATZ
Attorney for Plaintiffs, Estate of Matthew McEvers,
deceased, by and through Brett McEvers and
Gabriel McEvers (minors through their mother and
guardian ad litem Shannon McEvers) and Shannon
McEvers, as successors in interest; Brett McEvers,
Individually, Gabriel McEvers, Individually,
Shannon McEvers, Individually, and Lynette
McEvers, Individually

Dated: May 12, 2010

MORENO & RIVERA

By: */s/ Jesse M. Rivera* _____
JESSE M. RIVERA
Attorneys for Defendant
Angela Eisentrout

1 **CASE NO. 2:06-CV-02161 LRH (RAM)**
2 **[Consolidated with 2:06-cv-02864]**

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4 ***AMENDED ORDER REGARDING DISMISSAL***

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6 **IT IS SO ORDERED.** This action is dismissed, with prejudice, only as to the claims of
7 Plaintiffs, Estate of Matthew McEvers, deceased, by and through Brett McEvers and Gabriel
8 McEvers (minors through their mother and guardian ad litem Shannon McEvers) and Shannon
9 McEvers, as successors in interest; Brett McEvers, Individually, Gabriel McEvers, Individually,
10 Shannon McEvers, Individually, and Lynette McEvers, Individually, against Defendants, County
11 of Sacramento, Sheriff Lou Blanas, Captain Mark Iwasa (erroneously sued herein as the
12 Sacramento County Sheriff's Department) and Angela Eisentrout. Each party to bear his, her or
13 its own costs and attorneys' fees.

14 The orders signed by this court in these cases on April 23, 2010 are VACATED.

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18 Dated: May 19, 2010

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20 LARRY R. HICKS
21 UNITED STATES DISTRICT JUDGE
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