

1 R. MAC PROUT, State Bar # 101263
 SHARON B. FUTERMAN, State Bar # 124238
 2 **PROUT•LEVANGIE**
 2021 N Street
 3 Sacramento, CA 95811
 Tel: (916) 443-4849
 4 Fax: (916) 443-4855

5 Attorneys for Defendant
 PEACH TREE CLINIC, INC.
 6

7
 8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

10

11 CHUKWUEMEKA NDULUE,
 12 Plaintiff,

CASE NO. 2:08-CV-01696-WBS-KJM

13 v.

**STIPULATION OF DISMISSAL
 BETWEEN PLAINTIFF AND
 DEFENDANTS SUTTER NORTH
 MEDICAL GROUP, INC. AND PEACH
 TREE CLINIC, INC. ONLY; ORDER
 [Pursuant to FRCP, Rule 41(a)(2)]**

14 THE FREMONT-RIDEOUT HEALTH
 GROUP; SUTTER NORTH MEDICAL
 15 GROUP; PC; DEL NORTE CLINICS, INC.;
 THE PEACH TREE CLINIC, INC.;
 16 LEONARD MARKS, M.D.; PUSHPA
 RAMAN, M.D.; CHERRY ANN WY, M.D.;
 17 ARUM DUMAR, M.D.; HARRY WANDER,
 M.D.; MAX LINS, M.D.; and DOES 1-100,
 18 inclusive

19 Defendants.
 20

21 Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiff
 22 CHUKWUEMEKA NDULUE hereby dismisses, without prejudice, Defendants SUTTER
 23 NORTH MEDICAL GROUP and PEACH TREE CLINIC, INC. only, pursuant to the following
 24 terms:

- 25 1. The dismissal is in favor of Defendants SUTTER NORTH MEDICAL GROUP
 26 and PEACH TREE CLINIC, INC. only.
 27 2. The dismissal is without prejudice.

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

3. Plaintiff CHUKWUMEKA NDULUE and Defendants SUTTER ENORTH MEDICAL GROUP and PEACH TREE CLINIC, INC. each agree to assume their own costs and attorneys' fees incurred in this action.

DATED: December 17, 2009 **LAW OFFICE OF MICHAEL J. KHOURI**

By: /s/
MICHAEL J. KHOURI – SBN 97654
Attorneys for Plaintiff
CHUKWUMEKA NDULUE

DATED: December 17, 2009 **PROUT • LEVANGIE**

By: /s/
SHARON B. FUTERMAN – SBN 124238
Attorneys for Defendant
PEACH TREE CLINIC, INC.

DATED: December 18, 2009 **DONNELLY, NELSON, DEPOLO & MURRAY LLP**

By: /s/
THOMAS J. DONNELLY – SBN 65660
Attorneys for Defendant
SUTTER NORTH MEDICAL GROUP

DATED: December 17, 2009 **SCHUERING ZIMMERMAN SCULLY TWEEDY & DOLYE, LLP**

By: /s/
PATRICIA S. TWEEDY – SBN 99437
Attorneys for Defendants
FREMONT RIDEOUT HEALTH GROUP,
LEONARD MARKS, M.D., PUSHPA
RAMAN, M.D., CHERRY ANN WY, M.D.;
ARUM KUMAR, M.D., and HARRY
WANDER, M.D.

1 DATED: December 21, 2009

RADOSLOVICH LAW CORPORATION

2

3

By: /s/
MICHAEL MARTUCCI – SBN 249623
Attorneys for Defendant
DEL NORTE CLINICS, INC.

4

5

6

7

8

ORDER

9

IT IS SO ORDERED.

10

DATED: December 23, 2009

11



12

WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28