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 14 **UNITED STATES DISTRICT COURT**
 15 **EASTERN DISTRICT OF CALIFORNIA**

16
 17 JAMES BRADY PETER and JAMES
 RUSSELL PETER

Case No. 2:08-cv-02465 FCD-DAD

18 Plaintiffs,

**STIPULATION AND ORDER FOR
 DISMISSAL OF DEFENDANT COUNTY OF
 PLUMAS, WITHOUT PREJUDICE,
 PURSUANT TO F.R.C.P. SECTION 41(A)(1)**

19 v.

20 STATE OF CALIFORNIA; COUNTY OF
 21 PLUMAS; UNKNOWN OFFICERS OF THE
 PLUMAS COUNTY SHERIFFS OFFICE;
 22 CALIFORNIA HIGHWAY PATROL
 OFFICER BOB STOWE, and DOES 1
 23 through 50, Inclusive,

Complaint Filed: 10/16/08
 Amended Complaint Filed: 11/07/08
 Second Amended Complaint Filed; 02/03/09

24 Defendants.

25
 26 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs JAMES BRADY
 27 PETER and JAMES RUSSELL PETER, Defendant COUNTY OF PLUMAS, and Defendant State
 28 of California, California Highway Patrol Officers JAMES STOWE and R.A. STORY that this

1 action be dismissed as to Defendant COUNTY OF PLUMAS (including “Unknown Officers of
2 Plumas County Sheriff’s Office”) only, without prejudice, with each side to bear their own
3 attorney’s fees and costs, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

4 **IT IS SO STIPULATED.**

5 Dated: August 31, 2009

PORTER SCOTT
A PROFESSIONAL CORPORATION

6
7 By /s/Carl L. Fessenden
Carl L. Fessenden
8 Attorney for Defendant
COUNTY OF PLUMAS
9

10 Dated: August 28, 2009

LAW OFFICES OF LARRY L. BAUMBACH

11
12 By /s/Larry L. Baumbach (as authorized on 8/28/09)
Larry L. Baumbach
13 Attorney for Plaintiffs JAMES BRADY
PETER AND JAMES RUSSELL PETER
14

15 Dated: August 28, 2009

OFFICE OF THE ATTORNEY GENERAL

16 By /s/Alberto L. Gonzalez (as authorized on 8/28/09)
Alberto L. Gonzalez
17 Attorney for Defendant JAMES STOWE
18

19 **ORDER**

20 Good cause appearing, this matter is dismissed as to Defendant COUNTY OF PLUMAS
21 (and “Unknown Officers of Plumas County Sheriff’s Office”) only, without prejudice, with each
22 side to bear their own attorney’s fees and costs.

23 **IT IS SO ORDERED.**

24 Dated: September 8, 2009

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FRANK C. DAMRELL, JR.
26 UNITED STATES DISTRICT JUDGE
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