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10 Attorneys for Defendant,  
 11 D. MEDINA

12 **IN THE UNITED STATES DISTRICT COURT**  
 13 **IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA**

14	HOWARD SCOTT,	)	CASE NO. 2:09-CV-00851 MCE-EFB P
15		)	
16	Plaintiff,	)	<b>STIPULATED DISMISSAL WITH</b>
17		)	<b>PREJUDICE FOR DEFENDANT</b>
18		)	<b>D. MEDINA [FRCP 41(a)(1)]; ORDER</b>
19		)	<b>THEREON</b>
20	vs.	)	
21		)	
22		)	
23	M. McDONALD, et al.,	)	
24		)	
25	Defendants.	)	
26		)	
27		)	
28		)	

20 It is hereby stipulated, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure,  
 21 by and between Plaintiff HOWARD SCOTT, by and through his attorney, Andrew Peter Rausch,  
 22 Jr., and Defendant D. MEDINA, by and through his attorney, Shanan L. Hewitt, that Defendant  
 23 D. MEDINA is dismissed from this action with prejudice.

24 In consideration of the Stipulation entered by the above-named parties to the United States  
 25 District Court Eastern District of California action, Scott v. McDonald, et al, Case No. 2:09-CV-  
 26 00851 MCE-EFB P, Defendant D. MEDINA is dismissed with prejudice pursuant to Federal Rule  
 27 of Civil Procedure 41(a)(1) with the parties mentioned herein to bear their own fees and costs.  
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Date: April 7, 2015

/s/ Andrew Peter Rausch, Jr.  
ANDREW PETER RAUSCH, JR.  
Attorney for PLAINTIFF HOWARD SCOTT

Date: : April 7, 2015

/s/ Shanan L. Hewitt  
SHANAN L. HEWITT  
Attorney for DEFENDANT D. MEDINA

**IT IS SO ORDERED.**

Dated: April 9, 2015

  
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MORRISON C. ENGLAND, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT