

1 **P O R T E R | S C O T T**

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17 Attorneys for Defendants BUTTE COUNTY SHERIFFS DEPARTMENT, JONES, FLICKER,  
18 DEAL, MELL, BENTLEY, NARVAIS, DEMMERS and MAFFUCI

19 **UNITED STATES DISTRICT COURT**  
20 **EASTERN DISTRICT OF CALIFORNIA**

21 DONALD NELSON, et al.,

Case No. 2:09-CV-02776 JAM EFB

22 Plaintiffs,

**STIPULATION FOR DISMISSAL AND ORDER**

23 vs.

24 BUTTE COUNTY SHERIFF'S  
25 DEPARTMENT, et al.,

26 Defendants.

27 \_\_\_\_\_/  
28 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs DONALD  
NELSON and JOSEPH SIMPSON, by and through their undersigned counsel, and Defendants  
BUTTE COUNTY SHERIFF'S DEPT. (BUTTE COUNTY), CAPT. JONES. LT. BRYAN  
FLICKER, DEP. J. DEAL, C.O. MELL, C.O. BENTLEY, C.O. NARVAIS, C.O. DEMMERS, and  
C.O. MAFFUCCI, by and through its undersigned counsel, that all of the claims by Plaintiffs  
DONALD NELSON and JOSEPH SIMPSON alleged against Defendants BUTTE COUNTY  
SHERIFF'S DEPT. (BUTTE COUNTY), LT. BRYAN FLICKER, DEP. J. DEAL, C.O. MELL,  
C.O. BENTLEY, C.O. PATRICK NARVAIS, C.O. DEMMERS, C.O. MAFFUCCI, and CAPT.

1 JONES be dismissed with prejudice, pursuant to Rule 41 (a) (1)(A)(ii) of the Federal Rules of Civil  
2 Procedure, each party to bear their own attorneys' fees and costs.

3 Respectfully submitted,

4  
5 Dated: April 15, 2013 By /s/ Ellen C. Dove  
6 Ellen C. Dove

7 Dated: April 10, 2013 \_\_\_\_\_ PORTER SCOTT  
8 A Professional Corporation  
9 By /s/ John R. Whitefleet  
10 John R. Whitefleet  
11 \_\_\_\_\_

12 **ORDER**

13 IT IS SO ORDERED.

14 DATED: 4/16/2013

15  
16 /s/ John A. Mendez  
17 Honorable John A. Mendez  
18 Judge of the United States District Court for the  
19 Eastern District of California  
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