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IN THE UNITED STATES DISTRICT COURT
 FOR THE EASTERN DISTRICT OF CALIFORNIA

Case No.: CIV.S 09-02834-FCD-DAD

SCOTT N. JOHNSON,

Plaintiff,

vs.

LON LUNDGREN, et al,

Defendants.

**STIPULATION AND ORDER DISMISSAL
 OF DEFENDANT LON LUNDGREN**

Complaint Filed: OCTOBER 13, 2009

**CASE TO REMAIN OPEN WITH
 REMAINING DEFENDANTS**

IT IS HEREBY STIPULATED by Plaintiff, Scott N. Johnson, and Defendant Lon Lundgren, by and through their designated Counsel of record (Scott N. Johnson; Cris C. Vaughan) that Defendant (Lon Lundgren) be and is hereby dismissed **WITH PREJUDICE** pursuant to FRCP 41 (a)(2). This case is to remain open with remaining Defendants. Defendant (Lon Lundgren) is dismissed because this Defendant is not a proper party.

Dated: August 13, 2010

/s/Scott N. Johnson
 SCOTT N. JOHNSON

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Attorney for Plaintiff

Dated: August 16, 2010

/s/Cris C. Vaughan
CRIS C. VAUGHAN,
Attorney for Defendant
Lon Lundgren

IT IS SO ORDERED.

Dated: August 16, 2010


FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE