

1 BENJAMIN B. WAGNER
United States Attorney
2 KELLI L. TAYLOR
Assistant U.S. Attorney
3 501 I Street, Suite 10-100
Sacramento, CA 95814
4 Telephone: (916) 554-2741
Facsimile: (916) 554-2900
5

6 Attorneys for United States of America
7

8 IN THE UNITED STATES DISTRICT COURT
9 IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

No. 2:10-cv-00791 LKK KJN

12 Plaintiff,

STIPULATION OF DISMISSAL OF STEVEN
L. HARRAH, TREASURER-TAX ASSESSOR,
COUNTY OF SUTTER, STATE OF
CALIFORNIA, BASED UPON DISCLAIMER;
ORDER THEREON

13 vs.

14 .41 ACRES OF LAND, MORE OR LESS, IN
THE COUNTY OF SUTTER; ELIZABETH
15 GIANELLA; SEAN CARBERRY;
SACRAMENTO AND SAN JOAQUIN
16 DRAINAGE DISTRICT; STEVEN HARRAH,
SUTTER COUNTY TREASURER/TAX
17 COLLECTOR and UNKNOWN OWNERS,

18 Defendants.
19 _____ /

20 Defendant STEVEN L. HARRAH, TREASURER-TAX ASSESSOR, COUNTY OF SUTTER,
21 CALIFORNIA (hereinafter "COUNTY DEFENDANT"), and Plaintiff the United States of America,
22 submit the following stipulation to the Court for its approval.

23 First, COUNTY DEFENDANT disclaims interest or estate in the real property interests that are
24 the subject matter of this federal condemnation action. This disclaimer does not extend to any other
25 assets held by other parties to this action.

26 Second, in light of this disclaimer of interest in the subject matter of this action, the parties
27 request that COUNTY DEFENDANT be dismissed as Defendant in this action, and that any FURTHER
28 service of documents upon COUNTY DEFENDANT following service of this Order, is not necessary,

1 and that COUNTY DEFENDANT may be omitted from the caption of this case in all subsequent filings
2 with the Court.

3 **Finally, the other parties remain in the case and this dismissal does not close the case file.**

4
5 BENJAMIN B. WAGNER
United States Attorney

6 Date: May 25, 2010

7 By: /s/Kelli L. Taylor
KELLI L. TAYLOR
Assistant United States Attorney

8
9 Attorneys for Plaintiff, the United States of America

10 Date: May 19, 2010

11 By: /s/Steven L. Harrah
STEVEN L. HARRAH
Treasurer-Tax Assessor
County of Sutter, State of California

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


ORDER

IT IS ORDERED that Defendant STEVEN L. HARRAH, TREASURER-TAX ASSESSOR, COUNTY OF SUTTER, STATE OF CALIFORNIA (“COUNTY DEFENDANT”) is dismissed as Defendant in this action. The Clerk of the Court is directed to terminate said Defendant from the Official Docket of this case.

IT IS FURTHER ORDERED that, after this Order is served upon COUNTY DEFENDANT, no further documents in this case need to be served upon said Defendant.

IT IS FURTHER ORDERED that said COUNTY DEFENDANT may be omitted from the caption of this case in all future filings. **IT IS FURTHER ORDERED that other Defendants remain in the case, which is to remain open.**

Dated: May 27, 2010.


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT