1	PAUL L. REIN, Esq. (SBN 43053) CELIA McGUINNESS, Esq. (SBN 159420)			
2	CATHERINE M. CABALO, Ésq. (SBN 248198) LAW OFFICES OF PAUL L. REIN			
3	200 Lakeside Dr., Suite A Oakland, CA 94612			
4	Tel. 510/832-5001 Fax 510/832-4787 reinlawoffice@aol.com			
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6 7	Attorneys for Plaintiff DERRICK SAENZ-PAYNE			
8	Attorney General of California DAVID A. CARRASCO, Esq. (SBN 160460) Supervising Deputy Attorney General 1300 I Street, Suite 125			
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12	E-mail: david.carrasco@doj.ca.gov			
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15	of California, and California Correctional Center			
16	IN THE UNITED STATES DISTRICT COURT			
17	IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA			
18	DERRICK SAENZ-PAYNE, CASE NO. 2:10-cv-01455 MCE-EFB Civil Rights			
19	Plaintiff,			
20	V.			
21	STATE OF CALIFORNIA; STIPULATION TO DISMISS WITH PREJUDICE BUT TO			
22	CORRECTIONS; CALIFORNIA CORRECTIONS CENTER; HIGH  RETAIN JURISDICTION OVER DISPUTES; ORDER			
23	DESERT STATE PRISON; and DOES 1-10, Inclusive,			
24	Defendants.			
25				
26				
27	IT IS HEREBY STIPULATED by and between Plaintiff Derrick Saenz-			
28	Payne and Defendants High Desert State Prison, Department of Corrections and			
	1			

LAW OFFICES OF **PAUL L. REIN**200 LAKESIDE DR., SUITE A
OAKLAND, CA 94612-3503
(510) 832-5001

STIPULATION TO DISMISS BUT TO RETAIN JURISDICTION OF DISPUTES; ORDER CASE NO. 2:10-cv-01455 MCE-EFB

1	Rehabilitation, State of California, and California Correctional Center, through			
2	their designated counsel, that			
3	(1)	After the Court, Magistrate Judge Dale A. Drozd, signs the Settlement		
4		Agreement and [Propose	ed] Order in this case (Docket No. 37), this action	
5		be dismissed with prejudice pursuant to FRCP 41(a)(1)(A)(ii); but that		
6	(2)	The Court retains jurisdiction to enforce the terms of the Settlement		
7		Agreement and Order, which is incorporated herein by reference.		
8	(3)	Any and all disputes over enforcement of the Settlement Agreement and		
9		Order shall be heard and	resolved by Magistrate Judge Drozd.	
10				
11	Respectfully submitted,			
12				
13	Dated	d: September 13, 2011	LAW OFFICES OF PAUL L. REIN	
14				
15			/s/ Celia McGuinness	
16			Attorneys for Plaintiff DEDDICK SAENZ DAYNE	
17			DERRIČK SAENZ-PAYNE	
18				
19	Dated	d: September 14, 2011	KAMALA D. HARRIS	
20			Attorney General of California	
21			/s/ David A. Carrasco	
22			By DAVID A. CARRASCO Supervising Deputy Attorney General	
23			Supervising Deputy Attorney General Attorneys for Defendants High Desert State Prison, Department of Corrections and Rehabilitation, State of California, and California Correctional Center	
24			Corrections and Renabilitation, State of California, and California Correctional Center	
25	//			
26	//			
27	//			
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## **ORDER** 1 Good cause having been shown, and the Court having signed the 2 Settlement Agreement and Order in this matter, the case is hereby dismissed with 3 prejudice, except (1) the Court retains jurisdiction to enforce the terms of the 4 Settlement Agreement and Order, incorporated herein by reference, and (2) any 5 and all disputes over enforcement of the Settlement Agreement and Order shall 6 be heard and resolved by Magistrate Judge Drozd as agreed by the parties. 7 The Clerk of Court is directed to close the file at this time. 8 IT IS SO ORDERED. 10 11 Dated: September 28, 2011 12 13 UNITED STATES DISTRICT JUDGE 14 15 16 Ddad1\orders.civil\saenz-payne1455.stipord.dism 17 18 19 20 21 22 23 24 25 26

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