

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

A PROFESSIONAL CORPORATION  
Stephen E. Horan, SBN 125241  
Kevin M. Kreutz, SBN 264654  
350 University Ave., Suite 200  
Sacramento, California 95825  
Telephone: (916) 929-1481  
Facsimile: (916) 927-3706

**OFFICE OF COUNTY COUNSEL  
COUNTY OF BUTTE**

Bruce S. Alpert, SBN 75684  
25 County Center Drive, Suite 210  
Oroville, CA 95965-3380  
Telephone: (530) 538-7621  
Facsimile: (530) 538-6891

Attorneys for Defendants  
THE COUNTY OF BUTTE

*Public Entity, Gov't Code section 6103*

IN THE UNITED STATES DISTRICT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CARL E. JOHNSON,  
Plaintiff,

CASE NO. 2:10-CV-02748-GEB-CKD

v.

**[PROPOSED] ORDER DISMISSING  
PLAINTIFF'S ACTION PURSUANT TO  
FEDERAL RULE OF CIVIL  
PROCEDURE 25(a)(1)**

THE COUNTY OF BUTTE,  
Defendant.

Complaint filed: October 11, 2010  
Trial Date: June 18, 2013

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

On May 5, 2011, an amended statement noting Plaintiff's death was placed upon the record. No party has moved for substitution of his legal representative in this action. Accordingly, Defendant respectfully requests the Court dismiss the action. Weil v. Investment/Indicators, Research and Management, Inc., 647 F.2d 18, 21 n.5 (9th Cir. 1981); Fed. R. Civ. P. 25(a)(1).

Accordingly, **IT IS SO ORDERED** that the civil action *Johnson v. County of Butte*, case no. 2:10-cv-02748, is hereby dismissed.



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GARLAND E. BURRELL, JR.  
United States District Judge