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10 Attorney for Plaintiff JOHN DOE, a minor,
11 by his Guardian Ad Litem, KATHRYN CLARK

FILED

OCT 07 2013

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY  DEPUTY CLERK

12 **UNITED STATES DISTRICT COURT**

13 **EASTERN DISTRICT OF CALIFORNIA SACRAMENTO DIVISION**

14 JOHN DOE, a minor, by his Guardian Ad Litem,
15 KATHRYN CLARK,

16 Plaintiff,

17 vs.

18 SACRAMENTO DEPARTMENT OF
HEALTH AND HUMAN SERVICES
19 CHILD PROTECTIVE SERVICES OF
SACRAMENTO COUNTY, DIRECTOR
20 ANN EDWARDS, and DOES I through
XXXV, inclusive,

21 Defendant

Case No.: 2:11-CV-01767-JAM -JFM

**STIPULATION OF DISMISSAL WITH
PREJUDICE; ORDER**

[FRCP 41]

24 IT IS HEREBY STIPULATED by and between Plaintiff, JOHN DOE, a minor, by his Guardian
25 Ad Litem, KATHRYN CLARK, and Defendant, SACRAMENTO DEPARTMENT OF
26 HEALTH AND HUMAN SERVICES CHILD PROTECTIVE SERVICES OF SACRAMENTO
27 COUNTY, through their designated counsel that Defendant is hereby dismissed with prejudice
28 pursuant to Federal Rules of Civil Procedure 41(a)(1), subject to Court approval of the Joint Application

STIPULATION OF DISMISSAL OF DISMISSAL WITH PREJUDICE; ORDER

1 for Approval of Settlement and Compromise of Minor's Claims.¹ The parties further agree that subject
2 to this dismissal all parties will bear their own attorney's fees and legal costs.

3 Plaintiff, by his Guardian ad Litem, reserves all of his rights to prosecute a State Court action
4 against the owners, property managers, their agents, employees or independent contractors, of the
5 apartment complex where his injuries were sustained. No further action will be taken against the
6 currently named Defendants in the present federal case, or any of them.

7
8 IT IS SO STIPULATED.

9
10 Dated: August 14, 2013

LONGYEAR, O'DEA & LAVRA, LLP

11
12 By: /s/ AMANDA L. MCDERMOTT

13 JOHN A. LAVRA
14 AMANDA L. MCDERMOTT
Attorney for Defendant

15 Dated: August 14, 2013

LAW OFFICES OF RICHARD A. FRISHMAN

16
17 By: /s/ RICHARD A. FRISHMAN

18 RICHARD A. FRISHMAN
19 Attorney for Plaintiff

20
21
22 IT IS SO ORDERED.

23
24 Dated: 10-7-2013

25
26 
27 JOHN A. MENDEZ
UNITED STATES DISTRICT JUDGE

28 ¹ This motion was determined to be suitable for decision without oral argument. E.D. Cal. L.R. 230(g). The hearing was originally scheduled for October 9, 2013.