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9 Attorneys for Plaintiff
 10 KENNETH RISHE

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

14 KENNETH RISHE

15 Plaintiff,

16 v.

17 BIGGS-GRIDLEY MEMORIAL
 HOSPITAL and DOES 1 through 25,
 18 inclusive,

19 Defendants.

Case No. 2:11-CV-03014-MCE-CMK

**STIPULATION FOR VOLUNTARY
 DISMISSAL WITH PREJUDICE; ORDER
 RE SAME**

[Fed. R. Civ. P. 25(a), 41(a)(2)]

21 WHEREAS, the parties stipulate as follows:

- 22 1. Plaintiff died on February 15, 2012;
- 23 2. Plaintiff's counsel has notified Defendant's counsel that Plaintiff's estate has not been
 24 and will not be probated;
- 25 3. Plaintiff's counsel has notified Defendant's counsel that Plaintiff's successor and
 26 representative is his wife, Angeles M. Rishe;
- 27 4. Plaintiff's counsel has notified Defendant's counsel that Ms. Rishe has requested that the
 28 matter be dismissed with prejudice, each party to bear their own attorneys' fees and costs;

1 5. Plaintiff's counsel has notified Defendant's counsel that he has been authorized by Ms.
2 Rishe to sign and submit the documents needed to accomplish that goal;

3 6. Defendant has received Ms. Rishe's executed agreement authorizing the dismissal with
4 prejudice, each party to bear their own attorneys' fees and costs; and

5 7. The parties hereby agree that this matter shall be dismissed with prejudice, each party to
6 bear their own attorneys' fees and costs.

7 Dated: October 26, 2012

TREZZA, ITHURBURN, STEIDLMEYER &
ITHURBURN

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10 By: /s/ Michael J. Trezza

MICHAEL J. TREZZA
Attorneys for Plaintiff
KENNETH RISHE

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13 Dated: October 26, 2012

HOLDEN LAW GROUP

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15 By: /s/ Kimberley A. Worley

KIMBERLEY A. WORLEY
Attorneys for Defendant
BIGGS-GRIDLEY MEMORIAL HOSPITAL

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17
18 **ORDER**

19 The parties having stipulated and good cause appearing, the Court hereby dismisses this action
20 with prejudice, each party to bear their own attorneys' fees and costs. The Clerk of the Court is directed
21 to close the file.

22 IT IS SO ORDERED.

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24 Dated: November 6, 2012

25 
26 MORRISON C. ENGLAND, JR.
27 UNITED STATES DISTRICT JUDGE
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