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9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE EASTERN DISTRICT OF CALIFORNIA
 11 SACRAMENTO DIVISION

13 **ROBERT STANLEY WOODS aka**
 14 **SALADIN RUSHDAN ,**
 15 Plaintiff,
 16 **v.**
 17 **HAMKAR, et al. ,**
 18 Defendants.
 19

No. 2:12-cv-00562 MCE-CKD P

**STIPULATION FOR VOLUNTARY
 DISMISSAL WITH PREJUDICE OF
 DEFENDANTS ALI, HAMKAR AND
 NANGALAMA, AND
 STIPULATION TO REINSTATE OR
 ADD CDCR SECRETARY SCOTT
 KERNAN AS A DEFENDANT, AND
 ORDER**

21 Under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Robert Woods (aka Saladin
 22 Rushdan) and Defendants Ali, Hamkar, and Nangalama, by and through their counsel of record,
 23 stipulate to the voluntary dismissal with prejudice of Ali, Hamkar, and Nangalama from this case.

24 Under Federal Rule of Civil Procedure 15(a)(2) and 25(d), the parties stipulate to the
 25 reinstatement or addition of Scott Kernan, Secretary for the California Department of Corrections
 26 and Rehabilitation (CDCR), as a Defendant. Plaintiff originally sued the “Director” of CDCR in
 27 his official capacity for purposes of injunctive relief. (*See* ECF No. 1.) In the first amended
 28 complaint, Plaintiff specifically named then-Secretary Jeffrey Beard. (ECF No. 65.) Beard was

1 sued in his official capacity. (*Id.*) On September 28, 2015, the Court dismissed all Defendants
2 except Ali, Hamkar, and Nangalama. (ECF No. 105.)

3 The parties have reached a conditional settlement in this case which calls for the dismissal
4 of Ali, Hamkar, and Nangalama before the settlement can be finalized. The parties agree to
5 reinstate or add CDCR's Secretary to effect the settlement. However, Beard retired in December
6 2015. The current Secretary is Kernan. Under Rule 25(d), Kernan automatically substitutes as a
7 party. Good cause therefore exists to grant this stipulated request.

8
9 Dated: February 19, 2016

Respectfully submitted,

10 KAMALA D. HARRIS
11 Attorney General of California
12 CHRISTOPHER J. BECKER
Supervising Deputy Attorney General

13 */s/ Diana Esquivel*

14 DIANA ESQUIVEL
15 Deputy Attorney General
Attorneys for Defendants

16 Dated: February 19, 2016

LAW OFFICES OF DOUGLAS THORN

17
18 */s/ Douglas Thorn*

19 DOUGLAS THORN
20 *Attorneys for Plaintiff*

21 **ORDER**

22 Based on the parties' stipulated request, and good cause appearing, the Secretary of CDCR,
23 Scott Kernan, is added to this lawsuit as a Defendant. Defendants Ali, Hamkar, and Nangalama
24 are dismissed with prejudice from this lawsuit.

25 IT IS SO ORDERED.

26 Dated: February 22, 2016

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28 
MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT