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5 Attorney for Plaintiff: RICHARD FITZGERALD

6 UNITED STATES DISTRICT COURT  
 7 EASTERN DISTRICT OF CALIFORNIA

9 RICHARD FITZGERALD,

10 Plaintiff,  
 11 vs.

12 EL DORADO COUNTY; SHERIFF JOHN  
 13 D’AGOSTINI; UNDERSHERIFF RICH  
 WILLIAMS; and DOES 1 through 20,  
 14 inclusive,

15 Defendants.  
 16

Case No. 2:12-cv-02932-MCE-KJN

**STIPULATION AND ORDER RE:  
 DISMISSAL OF AGE DISCRIMINATION  
 CLAIM UNDER 28 U.S.C. § 621 AGAINST  
 ALL DEFENDANTS**

17 **IT IS HEREBY STIPULATED AND AGREED** by and between Plaintiff **RICHARD**  
 18 **FITZGERALD** and Defendants **EL DORADO COUNTY, SHERIFF JOHN D’AGOSTINI,**  
 19 **and UNDERSHERIFF RICH WILLIAMS,** by and through their respective counsel, that  
 20 Plaintiff hereby agrees to dismiss his federal claim only for Age Discrimination under the Age  
 21 Discrimination in Employment Act of 1967 [28 U.S.C. § 621 otherwise known as the ADEA] with  
 22 prejudice against **EL DORADO COUNTY** with a waiver of costs and fees as to this claim only.  
 23 The Age Discrimination Claim under the California Fair Employment and Housing Act [Cal.  
 24 Government Code §12940 et seq.] remains an operative claim in Plaintiff’s Amended Complaint.  
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