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8 **UNITED STATES DISTRICT COURT**
9 **IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA**

10 **-o0o-**

11 MICHAEL GRESS,

12 Plaintiff,

13 vs.

14 Dr. CHRISTOPHER SMITH, et al.,

15 Defendants.
16

) Case No. 2:13-cv-00328 TLN KJN P
)
)

) **JOINT STIPULATION FOR VOLUNTARY**
) **DISMISSAL OF DEFENDANTS MARY**
) **CHASE AND WESLEY HASHIMOTO**
) **FROM ACTION PURSUANT TO RULE**
) **41(a)**

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

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20 In light of information obtained during discovery, Plaintiff Michael Gress, by and through his
21 respective counsel of record, hereby requests dismissal of only Defendants Mary Chase and Wesley
22 Hashimoto without prejudice. Defendants Mary Chase and Wesley Hashimoto by and through their
23 counsel of record, hereby stipulates to Plaintiff's request. Defendants have agreed to waive all of
24 Defendant Chase and Defendant Hashimoto's fees and costs in exchange for their dismissal.

25 **Accordingly, the Parties hereby Stipulate and Agree** that Defendant Chase and Defendant
26 Hashimoto be dismissed without prejudice and for waiver of fees and cost for Defendant Chase and
27 Defendant Hashimoto, pursuant to Federal Rule of Civil Procedure 41.
28

1 Dated: February 17, 2015

DAUGHERTY & DAUGHERTY

2 By: /s/ Ryan M. Daugherty

3 RYAN M. DAUGHERTY
4 Attorney for Plaintiff
5 Michael Gress

6 Dated: February 17, 2015

ATTORNEY GENERAL'S OFFICE

7 By: /s/ Kevin Reager

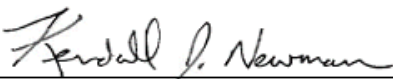
8 KEVIN REAGER
9 Attorney for Defendants

10 **ORDER**

11 Pursuant to the Joint Stipulation submitted by Plaintiff Michael Gress and Defendants and
12 Mary Chase and Wesley Hashimoto, wherein the parties stipulate and agree that Defendant Chase
13 and Defendant Hashimoto be dismissed from this action without prejudice in exchange for a waiver
14 of fees and costs, and good cause appearing:

15 IT IS HEREBY ORDERED that Defendant Chase and Defendant Hashimoto are dismissed
16 from this action without prejudice, pursuant to Federal Rule of Civil Procedure 41.

17 Dated: February 18, 2015

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19 KENDALL J. NEWMAN
20 UNITED STATES MAGISTRATE JUDGE

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