

1 DALE L. ALLEN, JR., State Bar No. 145279  
 dalen@aghlaw.com  
 2 KEVIN P. ALLEN, State Bar No. 252290  
 kallen@aghlaw.com  
 3 ALLEN, GLAESSNER, HAZELWOOD & WERTH, LLP  
 180 Montgomery Street, Suite 1200  
 4 San Francisco, CA 94104  
 Telephone: (415) 697-2000  
 5 Facsimile: (415) 813-2045

6 Attorneys for Defendants  
 CITY OF MANTECA, ARMANDO GARCIA, RANCH  
 7 JOHNSON, KIRK DOTY, MIKE KEENER, IAN  
 OSBORN, ARMEN AVAKIAN, PAUL CARMONA and  
 8 CHRIS S. MRAZ

9  
 10 UNITED STATES DISTRICT COURT  
 11 EASTERN DISTRICT OF CALIFORNIA  
 12 SACRAMENTO DIVISION

14 JOANNE BLIGHT,  
 15  
 Plaintiff,  
 16  
 v.

Case No.: 2:15-cv-02513-WBS-AC

**STIPULATION AND ORDER FOR  
 DISMISSAL OF CERTAIN DEFENDANTS**

17 CITY OF MANTECA, a Municipal  
 18 Corporation, Manteca Police Department  
 Detectives ARMANDO GARCIA,  
 19 Individually, RANCH JOHNSON,  
 Individually, KIRK DOTY, Individually,  
 20 MIKE KEENER, Individually, IAN  
 OSBORN, Individually, and ARMEN  
 21 AVAKIAN, Individually, Manteca Police  
 Department Sergeants PAUL CARMONA  
 22 and CHRIS S. MRAZ, in their Individual  
 and Supervisory capacities, and DOES 1  
 23 THROUGH 60, Jointly and Severally,  
 24  
 Defendants.

25  
 26 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), IT IS HEREBY  
 27 STIPULATED among the parties, through their respective counsel, that the following defendants  
 28 be dismissed without prejudice.

ALLEN, GLAESSNER, HAZELWOOD & WERTH, LLP  
 180 Montgomery Street, Suite 1200  
 San Francisco, California 94104

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1. RANCH JOHNSON;
2. KIRK DOTY;
3. MIKE KEENER; and
4. ARMEN AVAKIAN

The parties further stipulate to the following:

1. That the dismissed Defendants named above and the Plaintiff will each bear their own fees and costs solely as to the dismissed Defendants. In other words, each side bears its own fees and costs (including attorneys' fees) in the above-captioned lawsuit relating to this dismissal of RANCH JOHNSON, KIRK DOTY, MIKE KEENER, and ARMEN AVAKIAN only. However, this stipulated dismissal and this provision of the instant Stipulation shall not be construed in any future proceeding as a waiver of the prevailing party's right under 42 U.S.C. 1988(b) or California Civil Code 52.1(h) (or any other attorney fee provision alleged in this lawsuit) to recover attorney's fees for time expended in the litigation in matters related to the dismissed Defendants, such as written discovery, depositions, and other matters, to the extent it is otherwise recoverable.
2. That Defendants' counsel of record, ALLEN, GLAESSNER, HAZELWOOD & WERTH, represent they are authorized to and will accept service of trial subpoenas in the above-captioned lawsuit on behalf of RANCH JOHNSON, KIRK DOTY, MIKE KEENER, and ARMEN AVAKIAN.

Respectfully Submitted,

Dated: February 21, 2017

LAW OFFICES OF SANJAY S. SCHMIDT

By: /s/ Sanjay S. Schmidt  
SANJAY S. SCHMIDT  
Attorneys for Plaintiff  
JOANNE BLIGHT

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

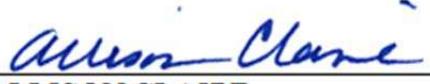
Dated: February 21, 2017

ALLEN, GLAESSNER,  
HAZELWOOD & WERTH, LLP

By: /s/ Kevin P. Allen  
DALE L. ALLEN, JR.  
KEVIN P. ALLEN  
Attorneys for Defendants  
CITY OF MANTECA, ARMANDO  
GARCIA, RANCH JOHNSON, KIRK DOTY,  
MIKE KEENER, IAN OSBORN, ARMEN  
AVAKIAN, PAUL CARMONA and CHRIS  
S. MRAZ

**PURSUANT TO THE STIPULATION SET FORTH ABOVE, IT IS SO ORDERED.**

DATED: February 21, 2017

  
\_\_\_\_\_  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE

ALLEN, GLAESSNER, HAZELWOOD & WERTH, LLP  
180 Montgomery Street, Suite 1200  
San Francisco, California 94104