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8 Attorneys for Plaintiffs

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

11 JANETTE RAMIREZ, individually and as a
12 representative of the Estate of ROBERTO
13 BALDIZON, Deceased; ANA
14 JUSCAMAITA, individually and as a
15 representative of the Estate of ROBERTO
16 BALDIZON, Deceased; and THE ESTATE
17 OF ROBERTO BALDIZON,

18 Plaintiffs,

19 v.

20 JEFFREY MACOMBER, individually and in
21 his official capacity as Former Warden of
22 California State Prison-Sacramento and
23 DOES 1 through 100, inclusive, in their official
24 and personal/individual capacities,

25 Defendants.

Case No. 2:17-CV-00228-WBS-AC

**STIPULATION TO DISMISS AND
[PROPOSED] ORDER DISMISSING**

26 Plaintiffs, pursuant to Rule 41(a)(1)(A)(ii) move to dismiss the above captioned case with
27 prejudice.

28 Plaintiffs filed this case on February 2, 2017. Defendants appeared on September 20,
2017.

Plaintiffs believe this case no longer warrants prosecution. Since the opening of discovery
Plaintiffs have obtained documents and evidence previously unavailable to Plaintiffs. That
information leads Plaintiffs to conclude a dismissal is warranted. Defendants stipulate to

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Plaintiffs request.

The parties further stipulate each side is to bear their own fees and costs.

Dated: May 10, 2017.

Respectfully submitted,

BARTH DALY LLP

By /s/ Kresta Nora Daly
KRESTA NORA DALY
Attorneys for Plaintiffs

Dated: May 10, 2017.

Respectfully submitted,

XAVIER BECERRA


ATTORNEY GENERAL OF CALIFORNIA

By /s/ R. Lawrence Bragg
R. LAWRENCE BRAGG
Acting Supervising Deputy Attorney General
Attorneys for Defendant Macomber

ORDER

In light of the stipulation of the parties, and good cause appearing, the above captioned case is dismissed with prejudice. Each side to bear their own fees and costs.

Dated: May 10, 2018


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE