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8 UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 GARY B. MOORE,

12 Plaintiff,

13 v.

14 OFFICERS S. ZEPPA, T. JACKSON,
 15 HEMBREE, LLAMAS, LAWSON (#1119),
 SERGEANTS M. BIRCH AND CLARK,

16 Defendant.

CASE NO. C04-1749 MMC

**STIPULATION AND ~~PROPOSED~~
 ORDER DISMISSING DR. MATTHEW
 NOWLIS WITHOUT PREJUDICE**

18 WHEREAS, Dr. Matthew Nowlis (misspelled "Nowhls" in Plaintiff's Amended Complaint)
 19 was named a defendant in this action on January 24, 2005; and

20 WHEREAS, Dr. Matthew Nowlis has not been served or appeared in this action,

21 IT IS HEREBY STIPULATED AND AGREED, by and between the parties, subject to
 22 approval and entry by the Court, that the above-captioned action is hereby voluntarily discontinued
 23 and dismissed with respect to Defendant Dr. Matthew Nowlis, without prejudice and without costs to
 24 either party as against another.

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