

1 TO THE HONORABLE COURT AND THE CLERK OF THE COURT:

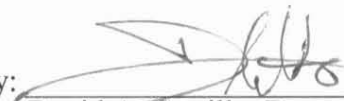
2 TAKE NOTICE THAT the undersigned counsel of record for plaintiffs and defendants
3 hereby stipulate and request that the Court enter the following order forthwith:

4 All defendants sued in this action in their individual capacities, with the exception of
5 Sabrina Johnson and Barry Smith (as to both plaintiff McCollum and the inmate plaintiffs) and
6 Protestant Chaplain Stewart (as to the inmate plaintiffs only), hereby are DISMISSED with
7 prejudice from this action. Parties sued in their official capacities are unaffected by this order. No
8 party will be liable for any other party's attorneys' fees or costs of suit by reason of this dismissal.
9 No party will be considered a prevailing party by reason of this dismissal.

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11 Dated: October 28, 2008

11 By: 
12 David C. Kiernan, Esq.
13 Attorneys for Plaintiffs

13 Dated: October 24, 2008

14 By: 
15 David A. Carrillo, Deputy Attorney General
16 Attorneys for Defendants

17 Based on the agreement of the parties, and good cause appearing, it is SO ORDERED.

18
19 Dated: October 31, 2008

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21 Charles R. Breyer
22 United States District Judge

