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 9 IN THE UNITED STATES DISTRICT COURT  
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

13 **DEXTER E. DALE,**

14 Plaintiff,

15 v.

16 **L. FERNANDEZ and L. LOUGH,**

17 Defendants.

C 05-1842 JSW (PR)

**STIPULATION FOR DISMISSAL OF  
 CASE WITH PREJUDICE; ORDER  
 DISMISSING CASE WITH PREJUDICE**

Dept: Courtroom 11, 19th Fl.  
 Judge: Hon. Jeffrey S. White

Action Filed: May 4, 2005  
 FAC Filed: December 30, 2011

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 22 IT IS HEREBY STIPULATED by the parties to this action, Plaintiff-inmate Dexter E. Dale  
 23 and Defendants Louella Fernandez and Lillian Lough, through their designated counsel, that the  
 24 above-captioned action is hereby dismissed, with prejudice, pursuant to Federal Rule of Civil  
 25 Procedure 41(a)(1)(ii), with each party to bear their own costs and fees, including attorneys' fees  
 26 and expenses. This stipulated dismissal incorporates by reference the terms of the Settlement and  
 27 Release Agreement by and between Plaintiff Dexter E. Dale and the California Department of  
 28 Corrections and Rehabilitation as if set forth herein.

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Dated: August 28, 2012

DECHERT LLP

By: /s/ Carl Gismervig  
CARL GISMERVIG

Counsel for Plaintiff DEXTER E. DALE

Dated: August 28, 2012

Respectfully Submitted,

KAMALA D. HARRIS  
Attorney General of California  
JOHN P. DEVINE  
Supervising Deputy Attorney General

*/s/ Daniel B. Alweiss<sup>1</sup>*

DANIEL B. ALWEISS  
Deputy Attorney General  
*Attorneys for Defendants Lillian Lough and  
Louella Fernandez*

**ORDER**

IT IS HEREBY ORDERED that this case is DISMISSED, with prejudice. The Court shall retain jurisdiction over the enforcement of the Settlement and Release Agreement by and between Plaintiff Dexter E. Dale and the California Department of Corrections and Rehabilitation, which is incorporated by reference as if set forth herein.

Dated: August 30, 2012

  
HONORABLE JEFFREY S. WHITE  
United States District Court Judge

<sup>1</sup> Pursuant to General Order 45(X), the filer of this document hereby attests that concurrence in the filing of the document has been obtained from Daniel B. Alweiss.