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15 Attorneys for Defendants

17 UNITED STATES DISTRICT COURT  
 18 NORTHERN DISTRICT OF CALIFORNIA

20 JESSICA BATES, *et al.*,  
 21 Plaintiff,

22 v.

23 CITY AND COUNTY OF SAN  
 24 FRANCISCO, *et al.*,  
 25 Defendants.

Case No. C-05-3383-SI  
 [JOINT PROPOSED] JUDGMENT

JUDGMENT

1 Pursuant to the Court’s summary judgment order of March 26, 2008 (Doc #113), and the  
2 Court’s clarifying order of April 7, 2008 (Doc #114), and the parties’ settlement of the then-  
3 remaining claims, the Court hereby dismisses all of plaintiffs’ claims and enters judgment in  
4 favor of defendants and against plaintiffs in this case.

5 The parties stipulate, pursuant to a separate settlement agreement which they reached,  
6 that plaintiff Christopher Scheets’ whole case, and each of his claims, are dismissed with  
7 prejudice, each side to bear its own costs and fees with respect to plaintiff Scheets, and that  
8 Mr. Scheets may not appeal this dismissal.

9 The parties further stipulate, pursuant to a separate settlement agreement which they  
10 reached, that the claims of plaintiffs Jeremy Spafford and Jonathan Stribling-Uss which survived  
11 summary judgment are dismissed with prejudice, each side to bear its own costs and fees with  
12 respect to plaintiffs Spafford and Stribling-Uss, and that Mr. Spafford and Mr. Stribling-Uss may  
13 not appeal the dismissal of those claims which had survived summary judgment.

14 Through this stipulation, the parties do not intend in any way to affect the plaintiffs’ right  
15 to appeal, other than as noted above.

16 IT IS SO STIPULATED.

17 Dated: February 4, 2009

DENNIS CUNNINGHAM  
BEN ROSENFELD

By: /s/ - Ben Rosenfeld  
BEN ROSENFELD  
Attorneys for Plaintiffs

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Dated: February 4, 2009

DENNIS J. HERRERA  
City Attorney  
JOANNE HOEPER  
Chief Trial Deputy  
BLAKE P. LOEBS  
MEREDITH B. OSBORN  
Deputy City Attorneys

By: /s/ - Blake P. Loeb  
BLAKE P. LOEBS  
Attorneys for Defendants

**PURSUANT TO STIPULATION, IT IS SO ORDERED:**



Dated: \_\_\_\_\_

\_\_\_\_\_  
HONORABLE SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE