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12 Attorneys for Plaintiff GORDON SIMPSON

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

15 GORDON SIMPSON,
 16 Plaintiff,
 17 vs.
 18 OFFICER A. McNACK, *et al.*,
 19 Defendants.

20 Case No. C-06-4837 EMC

21 **STIPULATION AND [~~PROPOSED~~] ORDER**
 22 **OF DISMISSAL OF REMAINING**
 23 **DEFENDANTS**

24 [Fed. R. Civ. P. 41(1)(a)(II)]

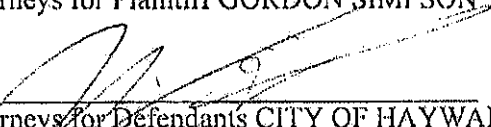
1 Plaintiff Gordon Simpson previously dismissed defendants Bay Area Rapid Transit
2 District, Officer McNack, Officer Zendejas, City of Hayward and Hayward Police Department.
3 Defendants Office Waybright, Officer Cerruti, and Sgt. Stanley prevailed at trial. The case
4 having settled with the remaining defendant (Officer Nguyen), Plaintiff formally dismisses claims
5 against him on the terms of the settlement (which include no award of costs), with prejudice.

6 Respectfully submitted,

7 August 11, 2010

DLA PIPER LLP (US)

8
9 By: /s/ David Priebe
Attorneys for Plaintiff GORDON SIMPSON

10
11 By: 
12 Attorneys for Defendants CITY OF HAYWARD;
13 HAYWARD POLICE DEPARTMENT, A
Municipal Corporation; SGT. STANLEY, OFFICER
14 NGUYEN; OFFICER CERRUTI; AND OFFICER
WAYBRIGHT

14 ATTESTATION PER GENERAL ORDER 45(X)(b)

15 I, David Priebe, attest that concurrence in the filing of this document has been obtained
16 from the other signatory to this document, Jeffrey Vucinich.

17
18 August 11, 2010

By: /s/ David Priebe

19
20 ORDER

21 Pursuant to stipulation, it is so ordered.

22 August 12, 2010

