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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

DEARMAND E., a minor, by and through
DEARMAND ELLIS, JR., his father/legal
guardian; MICHAEL H., a minor, by and through
ONITA TUGGLES, his mother/legal guardian;
and NICHOLAS P., a minor, by and through
BETTINA LAWRENCE, his mother/legal
guardian,

Plaintiffs,

vs.

CITY OF ANTIOCH, ANTIOCH POLICE
DEPARTMENT, JAMES HYDE, Chief of
Police, Antioch Police Department, in his
individual and official capacities; OFFICER
JAMES VINCENT (#3747), OFFICER LEROY
BLOXSOM (#2083), OFFICER PFEIFFER
(#3707), OFFICER M. ZEPEDA (#4137),
SERGEANT KEVIN ROGERS (#2464),
OFFICER R. SOLARI (#2372), in their
individual and official capacities;

Defendants.

Case No.: C08-01709 SI

**[PROPOSED] ORDER AND
PLAINTIFFS' NOTICE OF
VOLUNTARY DISMISSAL OF
CERTAIN CLAIMS PURSUANT TO
STATE LAW**

TRIAL DATE: November 16, 2009
JUDGE: Hon. Susan Illston

1 Plaintiffs hereby dismiss with prejudice the following causes of action in their First
2 Amended Complaint:

- 3 1. Sixth Cause of Action, Cal. Govt. Code § 815.6.
- 4 2. Eighth Cause of Action, Assault and Battery.
- 5 3. Tenth Cause of Action, Cal. Civil Code § 52.1.
- 6 4. Twelfth Cause of Action, Negligence and Negligence Per Se.
- 7 5. Thirteenth Cause of Action, Abuse of Process.
- 8 6. Fourteenth Cause of Action, Malicious Prosecution.
- 9 7. Sixteenth Cause of Action, Cal. Govt. Code § 11135.

10 DATED: November 6, 2009 LAW OFFICE OF JIVAKA CANDAPPA
11 By: /s/ Jivaka Candappa

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13 JIVAKA CANDAPPA
14 Attorney for Plaintiffs, DEARMAND E.,
15 MICHAEL H., and NICHOLAS P.

16 DATED: November 6, 2009 JUSTICE FIRST LLP
17 By: /s/ Jenny Huang

18 _____
19 JENNY HUANG
20 Attorney for Plaintiffs, DEARMAND E.,
21 MICHAEL H., and NICHOLAS P.

22 **SO ORDERED.**

23 Dated: _____

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25 _____
26 HON. SUSAN ILLSTON, JUDGE
27 UNITED STATES DISTRICT COURT
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