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8 Attorney for Plaintiffs
 9 JAMES L. TALADA, III and MELODY LaBELLA

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 (SAN FRANCISCO)

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 15 JAMES L. TALADA, III and
 16 MELODY LABELLA,
 17 Plaintiffs,
 18 v.
 19 CITY OF MARTINEZ, CA;
 20 MARTINEZ POLICE
 21 DEPARTMENT; ET AL.,
 22 Defendants.

CASE NO. C08-02771WHA
 STIPULATION AND ORDER
 DISMISSING SOME CLAIMS AGAINST
 DEFENDANT CRISTINA AKESON
 Dept.: Courtroom 9, 19th Floor
 HONORABLE WILLIAM H. ALSUP
 TRIAL DATE: OCT 26, 2009

23
 24 STIPULATION

25 IT IS HEREBY STIPULATED by and between Plaintiffs James L. Talada, III and Melody
 26 LaBella and Defendant Cristina Akeson, through their attorneys, that the following claims by the
 27 Plaintiffs in the above-captioned action are hereby dismissed against Defendant Cristina Akeson
 28

1 WITH PREJUDICE pursuant to Federal Rule of Civil Procedure 41(a)(1):


- 2 a) James Talada's Eighth Claim (Tresspass);
- 3 b) James Talada's and Melody LaBella's Ninth Claim (Invasion of Privacy); and
- 4 c) James Talada's Tenth Claim (Civil Code Section 52.1).

5 ~~As to these aforementioned claims only, each party waives any and all claims against the others,~~
 6 ~~including any claims for sanctions against the other parties or parties' attorneys (present or past).~~

7 ~~As to these aforementioned claims only, each party is responsible for their own costs and~~ *good*
 8 ~~attorneys fees.~~

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10 The parties agree to the form and content of this Stipulation and Order and seek the Court's
11 execution of the same.

12
13 Dated: July 18/28, 2009

13 By: 
14 John F. Henning III
15 Attorney for Plaintiffs James M. Talada, III,
16 and Melody LaBella


17 Dated: July ____, 2009

17 By: 
18 Plaintiff James L. Talada, III

19 Dated: July ____, 2009

19 By: 
20 Plaintiff Melody LaBella

21
22 Dated: July 27, 2009

22 By: 
23 Robert Postar
24 Attorney for Defendant Cristina Akeson

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27 **ORDER**

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PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT: Good cause appearing, the above-captioned action is hereby dismissed WITH PREJUDICE as to the claims by against Defendant Cristina Akeson pursuant to Federal Rule of Civil Procedure 41(a)(1) as follows:

- a) James Talada's Eighth Claim (Trespass);
- b) James Talada's and Melody LaBella's Ninth Claim (Invasion of Privacy); and
- c) James Talada's Tenth Claim (Civil Code Section 52.1).

~~As to these aforementioned claims only, each party waives any and all claims against the others, including any claims for sanctions against the other parties or parties' attorneys (present or past).~~

~~As to these aforementioned claims only, each party is responsible for their own costs and attorneys fees.~~

gnd

IT IS SO ORDERED.

Dated: September 1 2009

