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May 1, 2009

Magistrate Judge Maria-Elena James  
U. S. District Court, Northern District  
450 Golden Gate Ave.  
Courtroom B, 15<sup>th</sup> Floor  
San Francisco, CA 94102Re: *Williams v. United States Tennis Assoc., City of Alameda, et al.*  
U.S. District Court Case No. C08-04698 MEJ  
Our File: ALA 4653

Dear Magistrate Judge James:

This firm represents the City of Alameda and Alameda Police Chief Walter Tibbet, defendants in the above captioned action. This letter is to inform the Court that we have entered an agreement with plaintiffs whereby plaintiffs will dismiss the City and Chief Tibbet from the action with prejudice and each party shall bear its own costs and fees. To that end, I have prepared a Stipulation for Dismissal and Proposed Order which was mailed to plaintiff LaDonna Williams on April 24, 2009. I spoke with Ms. Williams by telephone on April 29, 2009 and she advised me that she wished to review the Stipulation with a legal advisor of her acquaintance, but that she anticipated returning the signed stipulation to this office in the near future. When the stipulation is received, I will submit it for filing and entry of order.

The City's motion to dismiss the complaint is scheduled for May 21, 2009. In anticipation of the dismissal of the City and Chief Tibbet from the suit, we ask that the motion to dismiss made on behalf of these defendants be taken off calendar.

Please let me know if you have any questions or concerns. Thank you for your attention to this matter.

The motion shall remain on calendar until the stipulation for dismissal is filed.

Dated: May 4, 2009

ACH/ns

cc: LaDonna Williams [via U.S. Mail]  
Paris Williams [via U.S. Mail]

Very truly yours,

BERTRAND, FOX &amp; ELLIOT

/s/

Arlene C. Helfrich