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6 Attorneys for Defendants
CITY OF OAKLAND; WAYNE TUCKER;
7 TIMOTHY DE LA VEGA; RANDOLPH BRANDWOOD;
ROBERT ROCHE; and ERIC MELINA
8

9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**
12

13 JOSE BUENOSTRO, SR. and MARIA
BUENOSTRO, individually and as successors in
14 interest to JOSE BUENOSTRO, JR.

15 Plaintiffs,

16 v.

17 CITY OF OAKLAND, a municipal corporation,
WAYNE TUCKER, Police Chief, TIMOTHY
18 DELAVEGA, RANDOLPH BRANDWOOD,
ROBERT ROCHE and ERIC MELINA, Police
19 Officers, and Does 1 through 20,

20 Defendant(s).
21

Case No. C09-00786 JSW

**STIPULATION OF DISMISSAL OF
DEFENDANT TIMOTHY DE LA VEGA**

22 IT IS HEREBY STIPULATED by and between the parties to the above-referenced action,
23 through their undersigned counsel of record, that Defendant TIMOTHY DE LA VEGA is dismissed

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25 ///

26 ///

1 without prejudice from this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii) .

2
3 Dated: December 18, 2009

LAW OFFICES OF JOHN L BURRIS

4
5 By: 

6 Steven R. Yourke, Esq.
Attorney for Plaintiffs

7 Dated: December 22, 2009

8 JOHN A. RUSSO, City Attorney
9 RANDOLPH W. HALL, Chief Asst City Atty
WILLIAM E. SIMMONS, Supervising Trial Atty
JENNIFER N. LOGUE, Deputy City Atty.

10
11 By: 

12 Deputy City Attorney Jennifer N. Logue
Attorney for Defendants

13
14 **ORDER**

15 The Court having considered the parties' stipulation of dismissal of Defendant TIMOTHY
16 DE LA VEGA, said defendant is hereby dismissed from this action without prejudice.

17 IT IS SO ORDERED.

18 Dated: January 4, 2010

19 
20 JUDGE OF THE DISTRICT COURT