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9 Attorneys for Defendant NICHOLAS MAURER

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

12 NICHOLAS JACKALONE and
 13 LUCIA JACKALONE,

14 Plaintiff,

15 vs.

16 CITY OF FREMONT, et al.,

17 Defendants.

Case No.: C09-02956 MHP


STIPULATION AND ORDER RE DISMISSAL

Complaint Filed: June 30, 2009

18 Whereas, Plaintiffs and Defendant Nicholas Maurer have entered into a settlement agreement a
 19 condition of which is that the court dismiss Plaintiffs' complaint against Defendant Maurer with
 20 prejudice. Accordingly, Plaintiffs and Defendant Maurer hereby stipulate and agree that Defendant
 21 Nicholas Maurer's motion to set aside clerk's default be dismissed and request that the court dismiss
 22 Plaintiffs' claims against Defendant Nicholas Maurer, and the complaint in its entirety, with prejudice,
 23 each side to bear their own fees and costs.

24 Dated: April 25, 2011

LAW OFFICES OF JOHN L. BURRIS

25 By: 
 26 ADANTE DE POINTER
 27 Attorneys for Plaintiffs NICHOLAS
 28 JACKALONE and LUCIA JACKALONE

1 Dated: April 26, 2011

PATTON ♦ WOLAN ♦ CARLISE, LLP

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3 By: Jesper Rasmussen

JESPER F. RASMUSSEN

Attorneys for Defendant NICHOLAS MAURER

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7 ORDER

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9 Pursuant to the foregoing stipulation by the parties, IT IS ORDERED that Defendant Nicholas
10 Maurer's motion to set aside clerk's default is dismissed and that Plaintiffs' claims against Defendant
11 Maurer, and the complaint in its entirety, is hereby dismissed with prejudice, each side to bear their
12 own fees and costs.

13 IT IS SO ORDERED.

14
15 Dated: 4/28, 2011

Marilyn Hall Patel
16 THE HONORABLE MARILYN HALL PATEL,
17 United States District Court, Northern District