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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
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11 JAMES DANIS,)	CASE NO. CV 09 5924
)	
12 Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER DISMISSING THE TWELFTH
13 v.)	CAUSE OF ACTION FOR VIOLATION
)	OF CALIFORNIA CIVIL CODE § 52.1,
14 COUNTY OF DEL NORTE; DEL NORTE))	WITHOUT PREJUDICE, AGAINST
COUNTY SHERIFF DEPARTMENT;)	SUTTER HEALTH AND SUTTER COAST
15 DEAN WILSON; BILL STEVEN; JOHN))	HOSPITAL
DOE 1, A.K.A. OFFICER COUSINS;)	
16 MIKE SEAMEN; JOHN DOE 2, A.K.A.))	
OFFICER BURKE; JOHN DOE 3, A.K.A.))	
17 SERGEANT FOX; GARY POTTER;)	
SUTTER HEALTH; SUTTER COAST))	
18 HOSPITAL; and DOES 4 through 15,)	
inclusive,)	
)	
19 Defendants.)	
)	
20 _____))	

21
 22 SUBJECT TO THE APPROVAL OF THE COURT, IT IS HEREBY STIPULATED BY
 23 AND BETWEEN THE PARTIES HERETO, THROUGH THEIR RESPECTIVE COUNSEL OF
 24 RECORD:

- 25 1. Plaintiff filed a Complaint on December 17, 2009.
- 26 2. The Complaint alleged as the 12th Cause of Action a violation of the Bane Civil
- 27 Rights Act (Cal. Civ. Code § 52.1) against all defendants, including Sutter Coast Hospital and
- 28 Sutter Health.

1 3. Plaintiff voluntarily dismisses the 12th cause of action for violation of the Bane Civil
2 Rights Act (Cal. Civ. Code § 52.1) against Sutter Coast Hospital and Sutter Health, without
3 prejudice.

4 4. Sutter Health and Sutter Coast Hospital will file a responsive pleading no later than
5 March 22, 2010.

6 **SO STIPULATED.**

8 DATED: March 3, 2010

LA FOLLETTE, JOHNSON, DE HAAS,
FESLER & AMES

10 By: /S/ LARRY THORNTON
11 LARRY THORNTON, ESQ.
12 Attorneys for Defendants SUTTER HEALTH
and SUTTER COAST HOSPITAL

13 DATED: March 3, 2010

SANFORD WITTELS & HEISLER, LLP

15 By: /S/ THOMAS MARC LITTON
16 THOMAS MARC LITTON, ESQ.
17 Attorneys for Plaintiff
18 JAMES DANIS

19 **~~PROPOSED~~ ORDER**

20 Plaintiff has filed a Complaint which alleges, in part, violation of the Bane Civil Rights Act
21 (Cal. Civ. Code § 52.1) against Sutter Coast Hospital and Sutter Health. Plaintiff, Sutter Coast
22 Hospital and Sutter Health requests that the Court dismiss this cause of action against Sutter Coast
23 Hospital and Sutter Health, without prejudice. A responsive pleading shall be filed by Sutter
24 Coast Hospital and Sutter Health no later than March 22, 2010.

25 **IT IS SO ORDERED.**

27 DATED: March 5, 2010

28 THE HONORABLE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

