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6 Attorneys for Plaintiffs

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8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**

10
11 ESTATE OF BROWNIE POLK by)
 12 and through its successor in interest)
 13 and representative, MARSHA POLK;)
 14 BRANDON POLK, a minor by and)
 through his Guardian ad Litem,)
 15 MARSHA POLK,)

16 Plaintiffs,)

17 vs.)

18 THE CITY OF OAKLAND; THE)
 19 OAKLAND POLICE)
 20 DEPARTMENT; YAVICKA)
 21 TAYLOR; UNKNOWN CITY OF)
 OAKLAND POLICE OFFICERS; and)
 22 DOES 1-10,)

23 Defendants.)
24 _____)

Case No. C 10-02412 EDL

**STIPULATION FOR DISMISSAL
WITHOUT PREJUDICE**

**THE HONORABLE ELIZABETH D.
LAPORTE**

**Case Management Conference:
October 12, 2010**

Trial Date: None.

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TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

IT IS HEREBY STIPULATED that Plaintiffs, by and through their counsel of record, Federico C. Sayre of Sayre & Levitt, LLP, and Defendants, by and through their counsel of record, Charles Vose of the Oakland City Attorney's Office, that the above-entitled matter be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

Each party will bear its own costs and attorneys' fees.

Dated: January 12, 2011

SAYRE AND LEVITT, LLP

By: /s/ Federico C. Sayre
Federico C. Sayre
Attorneys for Plaintiff

Dated: January 12, 2011

JOHN A. RUSSO, City Attorney
RANDOLPH W. HALL, Asst. City Attorney
JAMES F. HODGKINS, Supervising Trial Attorney
CHARLES E. VOSE, Senior Deputy City Attorney

By: /s/ Charles E. Vose
Attorneys for Defendants CITY OF
OAKLAND, OAKLAND POLICE
DEPARTMENT and YAVICKA TAYLOR

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ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED based on stipulation of the parties and good cause appearing therefore that the above entitled action be dismissed without prejudice.

IT IS ORDERED.

DATED: January 13, 2011



ELIZABETH D. LAPORTE
United States District Court Magistrate Judge