

1 GREGORY J. ROCKWELL, ESQ. (SBN 67305)
grockwell@bjg.com
2 JILL P. SAZAMA, ESQ. (SBN 214215)
jsazama@bjg.com
3 BOORNAZIAN, JENSEN & GARTHE
A Professional Corporation/File #26548
4 555 12th Street, Suite 1800
Oakland, CA 94607
5 Telephone: (510) 834-4350
Facsimile: (510) 839-1897

6 Attorneys for Defendants
7 CITY OF DUBLIN, COUNTY OF ALAMEDA
and TIM W. PHILIPPS

8
9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 JEFFREY GREEN, 13 Plaintiff, 14 vs. 15 TIM W. PHILIPPS, CITY OF DUBLIN, THE COUNTY OF ALAMEDA, PRISON 16 HEALTH SERVICES, INC. and DOES ONE to ONE HUNDRED, inclusive, 17 Defendants.) Case No.: C 10-3915 SI)) STIPULATION FOR DISMISSAL OF) CLAIM AGAINST DEFENDANTS TIM W.) PHILIPPS, CITY OF DUBLIN and COUNTY) OF ALAMEDA; and [PROPOSED] ORDER)) Complaint Filed: September 1, 2010) First Amended Complaint Filed: September 3,) 2010
---	---

18
19 **STIPULATION**

20 Defendants Tim W. Philipps, City of Dublin and County of Alameda contend that
21 Plaintiff's Eighth Claim for Relief ("Interference with Civil Rights by Threats, Intimidation or
22 Coercion – California Civil Code Section 52.1) is substantively untenable as to them, and that the
23 First Amended Complaint lacks sufficient allegations to state a cognizable claim under California
24 Civil Code section 52.1. Plaintiff Jeffrey Green lacks evidence sufficient to contend otherwise at
25 this time. Plaintiff and defendants Tim Philipps, City of Dublin and County of Alameda thus
26 stipulate to a dismissal of that claim as to these defendants, without prejudice. Counsel for the
27 only other defendant, Prison Health Services, Inc., has previously had this claim dismissed without

1 prejudice as to it.

2 SO STIPULATED:

3 DATED: February 11, 2011

BOORNAZIAN, JENSEN & GARTHE
A Professional Corporation

4

5

By: /s/ Jill P. Sazama

6

JILL P. SAZAMA, ESQ.

7

Attorneys for defendants

8

TIM W. PHILIPPS, CITY OF

DUBLIN, and COUNTY OF

ALAMEDA

9 DATED: February 18, 2011

GEARINGER LAW GROUP

10

11

By: /s/ Brian Gearinger¹

12

BRIAN GEARINGER, ESQ.

13

Attorneys for plaintiff

JEFFREY GREEN

14 26548\531745

15

16

17

18

19

20

21

22

23

24

25

26

27

¹ Plaintiff's counsel so stipulated and authorized use of his electronic signature on February 18, 2011.

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Pursuant to the stipulation by plaintiff Jeffrey Green and defendants Tim W. Philipps, City of Dublin and County of Alameda, Plaintiff's Eighth Claim for Relief ("Interference with Civil Rights by Threats, Intimidation or Coercion – California Civil Code Section 52.1") against these defendants is DISMISSED without prejudice.

SO ORDERED

Date: 2/23/11, 2011



SUSAN ILSTON
UNITED STATES DISTRICT JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE BY ELECTRONIC SERVICE

I, the undersigned, declare as follows:

I am employed in the County of Alameda, State of California. I am over the age of 18 years and not a party to the within action. My business address is 555 12th Street, Suite 1800, P. O. Box 12925, Oakland, California 94604-2925.

On the date indicated below, at the above-referenced business location, I served the **STIPULATION FOR DISMISSAL OF CLAIM AGAINST DEFENDANTS TIM W. PHILIPPS, CITY OF DUBLIN and COUNTY OF ALAMEDA; and [PROPOSED] ORDER** on the below-named party and caused said document to be transmitted using ECF as specified by General Order No. 45 to the following party:

Brian Gearing, Esq.
R. Stephen M. LaRoe, Esq.
Gearing Law Group
825 Van Ness Avenue, 4th Floor
San Francisco, CA 94109
Tel: (415) 440-3102
Fax: (415) 440-3103
E-mail: brian@gearingerlaw.com
Stephen@gearingerlaw.com

Attorneys for Plaintiff JEFFREY GREEN

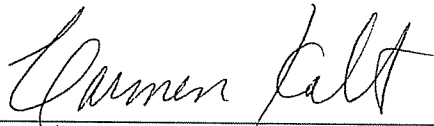
Nancy E. Hudgins, Esq.
Matthew M. Grigg, Esq.
Law Offices of Nancy E. Hudgins
565 Commercial Street, 4th Floor
San Francisco, CA 94111
Telephone: (415) 979-0100
Fax: (415) 979-0747
E-mail: mmg@hudginslaw.com

**Attorneys for Defendant
PRISON HEALTH SERVICES, INC.**

///
///
///
///

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct.

3 Executed at Oakland, California, on February 22, 2011.

4
5 

6 Carmen Kalt

7 26548\531745

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28