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5 Attorney for Plaintiff  
 6 WILLIAM M. ENDRES

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 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

11 WILLIAM M. ENDRES,	)	Case No.: 3:10-CV-03924-TEH
12 Plaintiff,	)	Judge: Hon. Thelton E. Henderson
13 vs.	)	<b>STIPULATION FOR DISMISSAL</b>
14 CALIFORNIA DEPARTMENT OF	)	<b>WITHOUT PREJUDICE OF DEFENDANTS</b>
15 CORRECTIONS AND REHABILITATION, et al.,	)	<b>CALIFORNIA PRISON HEALTH CARE</b>
16 Defendants.	)	<b>RECEIVERSHIP CORPORATION AND J.</b>
	)	<b>CLARK KELSO, RECEIVER</b>
	)	<del>Proposed</del>
	)	<b><u>ORDER</u></b>
	)	Fed. R. Civ. P. 41(a)(2)

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 21 Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, plaintiff William M. Endres  
 22 and defendants California Prison Health Care Receivership Corporation and J. Clark Kelso, by and  
 23 through their respective undersigned counsel, stipulate and agree that defendants CALIFORNIA  
 24 PRISON HEALTH CARE RECEIVERSHIP CORPORATION and J. CLARK KELSO only may be  
 25 dismissed from this action without prejudice, with each party to bear own costs and fees, and that the  
 26 Court may enter an order accordingly, further hearing and notice being hereby waived.

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1 Dated: January 4, 2011.

**WEIXEL LAW OFFICE**

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4 By: \_\_\_\_\_

James V. Weixel, Jr.

5 Attorney for Plaintiff  
6 WILLIAM M. ENDRES  
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9 Dated: January 4, 2011.

**FUTTERMAN DUPREE DODD CROLEY MAIER LLP**

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12 By: \_\_\_\_\_

Martin H. Dodd

13 Attorney for Defendants  
14 CALIFORNIA PRISON HEALTH CARE  
15 RECEIVERSHIP CORPORATION  
16 and J. CLARK KELSO  
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**ORDER**

19  
20 Pursuant to the above stipulation, IT IS SO ORDERED. Defendant's pending motion to  
21 dismiss is VACATED as moot.

22 Dated: 01/04, 2011.

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25 By: \_\_\_\_\_

