E-Filed 7/29/11

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|---------|--|---------------------------------------|
| 1 | MELINDA HAAG (CSBN 132612) | |
| 2 | United States Attorney JOANN M. SWANSON (CSBN 88143) | |
| 3 | Chief, Civil Division VICTORIA R. CARRADERO (CSBN 2178 Assistant United States Attorney | 85) |
| 4 | 450 Golden Gate Avenue, 9th Floor | |
| 5 | San Francisco, California 94102-3495 Telephone: (415) 436-7181 Facsimile: (415) 436-6748 | |
| 6 7 | Email: victoria.carradero@usdoj.gov | |
| 8 | Angela Loc, Certified Student Attorney | |
| 9 | Attorneys for Federal Defendant Environmental Protection Agency | |
| 10 | UNITED STATES DISTRICT COURT | |
| 11 | NORTHERN DISTRICT OF CALIFORNIA | |
| 12 | SAN FRANCISCO DIVISION | |
| 13 | JAVIER ALCALA,) | Case No. CV 10-5760 - RS |
| 14 | Plaintiff,) | STIPULATION AND [PROPOSED] ORDER |
| 15 | V.) | OF DISMISSAL |
| 16 | U.S. ENVIRONMENTAL) PROTECTION AGENCY AND DOES) 1 TO 50) | |
| 17 | } | |
| 18 | Defendants.) | |
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| | STIPULATION AND [PROPOSE D] ORDER OF DI No. CV 10-5760 - RS | SMISSAL |

| 1 | Plaintiff Javier Alcala ("Plaintiff") and Defendant the United States Environmental Protection | |
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| 2 | Agency¹/ ("Defendant"), hereby stipulate to the dismissal with prejudice of all claims in the above | |
| 3 | entitled action. Each side will bear its own attorneys' fees, expenses and costs. | |
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| 6 | DATED: July 28, 2011 JAVJER ALCALA | |
| 7 | Jon Olcala | |
| 8 | Plaintiff, Pro Se | |
| 9 | DATED: July 28, 2011 MELINDA HAAG | |
| 10 | United States Attorney | |
| 11 | /s/ | |
| 12 | Victoria R. Carradero Assistant United States Attorney | |
| 13 | Attorneys for Federal Defendant | |
| 14 | | |
| 15 | IT IC CO ODDEDED | |
| 16 | DATED: 7/29 2011 | |
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| 18 | Richard Seeborg United States District Court Judge | |
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| 27 | 1/ As Defendant noted, the proper defendant in an FTCA action is the United States of | |
| 28 | America. | |

STIPULATION AND [PROPOSED] ORDER OF DISMISSAL No. CV 10-5760 - RS