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6 Attorneys for Defendants
 7 COUNTY OF CONTRA COSTA and
 SHERIFF DAVID LIVINGSTON
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9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 OAKLAND BRANCH

13 HASAN ARDA AKSU,
 14 Plaintiff,
 15 v.
 16 COUNTY OF CONTRA COSTA,
 SUZANNE PORTER, TERRENCE
 17 THOMPSON, CHRISTOPHER BUTLER,
 BENNY CHETCUTI, JR., STEPHEN
 18 TANABE, SHERIFF DAVID
 LIVINGSTON and DOES ONE to FIFTY,
 19 inclusive,
 20 Defendants.

Case No. C12-4268 EMC
 STIPULATION AND [PROPOSED] ORDER
 RE DISMISSAL OF SHERIFF DAVID
 LIVINGSTON AND DISMISSAL OF
 CERTAIN CLAIMS AS TO DEFENDANTS
 COUNTY OF CONTRA COSTA AND
 STEPHEN TANABE
 Judge: The Honorable Edward C. Chen
 Crtrm: 5, 17th Floor, San Francisco

21 The following Stipulation is entered between plaintiff Hasan Arda Aksu and defendants
 22 County of Contra Costa and Sheriff David Livingston by and through their attorneys of record.

23 1. Plaintiff dismisses his Fifth Cause of Action (Unconstitutional Hiring of Deputy
 24 Tanabe) and his Sixth Cause of Action (Unconstitutional Policy and Practice (*Monell-
 25 Adickes*)) **without prejudice**.

26 2. Plaintiff dismisses his Eleventh Cause of Action (Negligent Hiring of Deputy
 27 Tanabe) **with prejudice**.

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1 3. Plaintiff has asserted a number of state law claims against defendant County of
2 Contra Costa and its former employee, defendant Stephen Tanabe, specifically the Seventh
3 through Tenth Causes of Action. Plaintiff dismisses **with prejudice** each of these state law
4 claims as to defendants County of Contra Costa and Tanabe.

5 4. Plaintiff dismisses defendant Sheriff David Livingston **without prejudice** as a
6 party from the above-entitled action.

7 5. In exchange for the dismissals in paragraphs 1, 2 and 4 above, defendant Sheriff
8 David Livingston waives any costs or fees to date arising from this action.

9 6. In exchange for the dismissals in paragraphs 1, 2 and 3 above, defendant County
10 of Contra Costa waives any costs or fees to date relating solely to the claims dismissed
11 pursuant to this Stipulation.

12 Dated: October 22, 2012 THE GEARINGER LAW GROUP

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14 By: /s/ Brian Gearinger
BRIAN GEARINGER
15 Attorneys for Plaintiff
Hasan Arda Aksu

16 Dated: October 22, 2012 SHARON L. ANDERSON, County Counsel

17
18 By: /s/
D. CAMERON BAKER
19 Deputy County Counsel
Attorneys for Defendants
20 COUNTY OF CONTRA COSTA
21 SHERIFF DAVID LIVINGSTON
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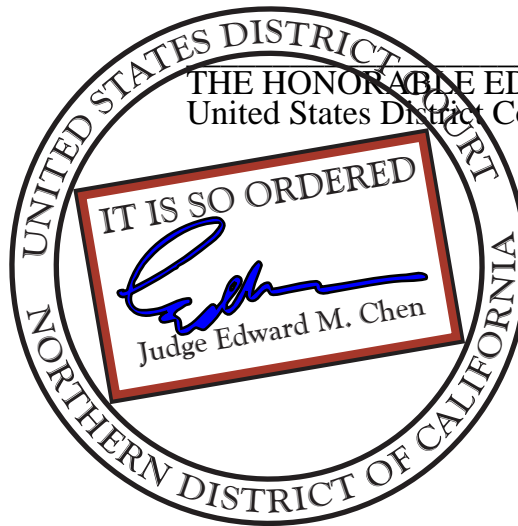
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ORDER

PURSUANT TO STIPULATION, IT IS ORDERED as follows:

1. Plaintiff's Fifth Cause of Action and his Sixth Cause of Action are dismissed **without prejudice**.
2. Plaintiff's Seventh through Tenth Causes of Action are dismissed **with prejudice** as to defendants County of Contra Costa and Tanabe.
3. Plaintiff's Eleventh Cause of Action is dismissed **with prejudice**.
4. Sheriff David Livingston is dismissed **without prejudice** as a party to this action.

Dated: 10/26, 2012



THE HONORABLE EDWARD M. CHEN
United States District Court Judge