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23 UNITED STATES DISTRICT COURT  
 24 NORTHERN DISTRICT OF CALIFORNIA  
 25 SAN FRANCISCO DIVISION

26 JOSEPH E. GAXIOLA,

27 Plaintiff,

28 v.

DR. M. SAYRE; F.N.P. SUE  
 RISENHOOVER; DR. C. WILLIAMS; R.N.  
 K. VAIL,

Defendants.

CASE NO. 3:13-CV-01989-WHA (PR)

**STIPULATION AND ~~PROPOSED~~ ORDER  
 FOR VOLUNTARY DISMISSAL WITH  
 PREJUDICE**

1 Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiff Joseph  
2 E. Gaxiola ("Plaintiff") and Defendants Dr. Michael Sayre, Family Nurse Practitioner Sue  
3 Risenhoover (collectively, "Defendants"), acting through their attorneys, hereby stipulate and  
4 agree as follows:

- 5 1. Plaintiff dismisses with prejudice all claims against Defendants.
- 6 2. Defendants have no counter claims against Plaintiff.
- 7 3. Each party is to bear their own costs and attorney's fees with regard to these  
8 dismissed claims.

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11  
12 ~~PROPOSED~~ ORDER

13 PURSUANT TO STIPULATION, IT IS SO ORDERED.

14  
15 DATED: May 16, 2017.

  
16 The Honorable William Alsup  
17 United States District Judge

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28 <sup>1</sup> In accordance with Local Rule 5-1(i)(3), I, Brett M. Sandford, hereby attest that I have the  
concurrence of Micah C.E. Osgood in the filing of this stipulation. /s/ Brett M. Sandford.