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6 Attorneys for Defendants
CITY OF NEWARK, JOHN BECKER,
7 DAVID BENOUN, KARL FREDSTROM
and RENNY LAWSON

8 UNITED STATES DISTRICT COURT
9
10 NORTHERN DISTRICT OF CALIFORNIA

11 JOHN PATRICK HENNEBERRY,

12 Plaintiffs,

13 v.

14 CITY OF NEWARK; COUNTY OF
ALAMEDA; NEWARK CHAMBER OF
15 COMMERCE; LINDA ASHLEY; JOHN
BECKER; DAVID BENOUN; KARL
16 FREDSTROM; RENNY LAWSON; AND
DOES 1-250,

17 Defendants.

Case No. 13-CV-05238 MEJ

**STIPULATION FOR DISMISSAL OF
PLAINTIFF'S CLAIMS AGAINST
DEFENDANT DAVID BENOUN WITH
PREJUDICE AND ORDER OF DISMISSAL OF
SAID CLAIMS WITH PREJUDICE**

[FRCP 41(a)(1)(A)(ii) and FRCP 41(a)(2)]

18
19 IT IS HEREBY STIPULATED by and between all of the parties to this action, either by
20 themselves or through their designated attorneys of record, that the above-captioned action, as it
21 relates to defendant DAVID BENOUN, individually, has been fully and finally resolved by way
22 of a compromise settlement and release of all claims, with prejudice, and with both plaintiff
23 JOHN PATRICK HENNEBERRY and defendant DAVID BENOUN each bearing their own
24 attorneys' fees and litigation costs.

25 IT IS FURTHER HEREBY STIPULATED by and between all of the parties to this
26 action, either by themselves or through their designated attorneys of record, that the above-
27 captioned action, as it relates to defendant DAVID BENOUN, be and hereby is dismissed with
28 prejudice, pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii) and 41(a)(2), and with

1 both plaintiff JOHN PATRICK HENNEBERRY and defendant DAVID BENOUN each bearing
2 their own attorneys' fees and litigation costs.

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4 DATED: October 14, 2015 LAW OFFICES OF YOLANDA HUANG

5
6 By: /s/ Yolanda Huang
7 Yolanda Huang, Esq.
8 Attorney for Plaintiff
9 JOHN PATRICK HENNEBERRY

10
11 DATED: October 14, 2015 SELMAN BREITMAN LLP

12 By: /s/ Gregg A. Thornton
13 GREGG A. THORNTON
14 DANIELLE K. LEWIS
15 Attorneys for Defendants
16 CITY OF NEWARK, JOHN BECKER,
17 DAVID BENOUN, KARL FREDSTROM
18 and RENNY LAWSON

19
20 **ORDER**

21 The parties having stipulated and agreed that the above-captioned action, as it relates to
22 defendant DAVID BENOUN, individually, has been fully and finally resolved by way of a
23 compromise settlement and release of all claims, with prejudice, and with both plaintiff JOHN
24 PATRICK HENNEBERRY and defendant DAVID BENOUN each bearing their own attorneys'
25 fees and litigation costs;

26 The parties having further stipulated and agreed that the above-captioned action, as it
27 relates to defendant DAVID BENOUN, be and hereby is dismissed with prejudice, pursuant
28 Federal Rules of Civil Procedure 41(a)(1)(A)(ii) and 41(a)(2), and with both plaintiff JOHN
PATRICK HENNEBERRY and defendant DAVID BENOUN each bearing their own attorneys'
fees and litigation costs;

The Court finding good cause appearing therefor;

IT IS HEREBY ORDERED that the above-caption action, as it relates to defendant

1 DAVID BENOUN, be and hereby is dismissed with prejudice.

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Dated: October 22, 2015

By:  _____

Honorable Maria-Elena James
United States Magistrate Judge
Northern District of California

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