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13 Attorneys for Plaintiffs

14 **UNITED STATES DISTRICT COURT**

15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

16 KATHERINE CODY; PATRICIA MOORE;
 ROBERT WHARTON; APRIL ANTHONY; LARRY
 CABRERA; JOSEPH ROSE; STEPHANIE
 17 RINGSTAD; ALEXANDER WILSON; TAMARA
 ROBINSON; PHILLIP LEWIS; AMBER WHITSON;
 18 BOB ANDERSON; CHESTER HILL; DANIELLE
 EVANS; DAVID JUSTUS; DONALD BOWEN;
 19 GLENN BACHELDER; JOSEPH WALTER, JR.;
 MARC MATTONEN; MICHAEL NELSON;
 20 THOMAS BARNETT; GARY AMAR; JAMES
 BAILEY; KRISTOPHER SULLIVAN; LEWANDA
 21 PARNELL; ANTHONY BEAMON; ZUBER AWAD;
 CHRIS DUNCAN; JERMAIN COLEMAN; and
 22 ALBANY HOUSING ADVOCATES, a California
 non-profit public benefit corporation,

23 Plaintiffs,

24 v.

25 CITY OF ALBANY; ALBANY POLICE
 26 DEPARTMENT; and MIKE MCQUISTON, in his
 official capacity as Chief of Police,

27 Defendants.
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CASE NO. 3:13-CV-5270-CRB

**STIPULATED DISMISSAL WITH
PREJUDICE AND ORDER**



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Plaintiffs Patricia Moore, Robert Wharton, April Anthony, Joseph Rose, Bob Anderson, Chester Hill, Danielle Evans, David Justus, Donald Bowen, Glenn Bachelder, Joseph Walter, Jr., Marc Mattonen, Michael Nelson, Thomas Barnett, James Bailey, Kristopher Sullivan, Lewanda Parnell, Anthony Beamon, Zuber Awad, Chris Duncan and Jermain Coleman (“Settling Plaintiffs”) and Defendants City of Albany, Albany Police Department and Mike McQuiston stipulate that all claims for relief asserted by Settling Plaintiffs in the First Amended Complaint be dismissed with prejudice, each party to bear its own costs and attorneys’ fees.

Notwithstanding dismissal of this action, Settling Plaintiffs and Defendants stipulate and request that the Court retain jurisdiction to resolve any disputes regarding implementation of the Settlement Agreement executed by the Defendants and the Settling Parties.

DATED: April 29, 2014 KILPATRICK TOWNSEND & STOCKTON LLP

By: /s/ Maureen A. Sheehy
MAUREEN A. SHEEHY
Attorneys for Plaintiffs

DATED: April 29, 2014 EAST BAY COMMUNITY LAW CENTER

By: /s/ Osha Neumann
OSHA NEUMANN
Attorneys for Plaintiffs

DATED: April 29, 2014 HOMELESS ACTION CENTER

By: /s/ Patricia E. Wall
PATRICIA E. WALL
Attorneys for Plaintiffs



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DATED: April 29, 2014

RICHARDS, WATSON & GERSHON
A Professional Corporation
GREGORY W. STEPANICICH
T. PETER PIERCE
TOUSSAINT S. BAILEY

By: /s/ Toussaint S. Bailey
TOUSSAINT S. BAILEY
Attorneys for Defendants



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ORDER

All claims for relief asserted by Plaintiffs Patricia Moore, Robert Wharton, April Anthony, Joseph Rose, Bob Anderson, Chester Hill, Danielle Evans, David Justus, Donald Bowen, Glenn Bachelder, Joseph Walter, Jr., Marc Mattonen, Michael Nelson, Thomas Barnett, James Bailey, Kristopher Sullivan, Lewanda Parnell, Anthony Beamon, Zuber Awad, Chris Duncan and Jermain Coleman in the First Amended Complaint are **DISMISSED WITH PREJUDICE**. Each party shall bear its own costs and attorneys' fees.

The Court retains jurisdiction to oversee compliance with the terms of the Settlement Agreement and to resolve any motions brought to modify such terms. *See Kokkonen v. Guardian Life Ins. Co. of America*, 511 U.S. 375 (1994).

IT IS SO ORDERED.

DATED: May 5, 2014

