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6 Attorneys for Defendants  
 CITY OF UNION CITY, CHIEF OF POLICE BRIAN  
 7 FOLEY, OFFICER CHRISTOPHER FIGUEIRDO

8  
 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11  
 12 GARY CASTRO,

13 Plaintiff,

14 v.

15 CITY OF UNION CITY, CITY OF  
 UNION CITY POLICE DEPT., CHIEF  
 16 OF POLICE BRIAN FOLEY, OFFICER  
 CHRISTOPHER FIGUEIREDO,  
 17 OFFICERS DOES 1-50, UNLAWFUL  
 TRESPASSER SAU NGUYEN,

18 Defendants.  
 19

Case No.: 14-cv-00272 MEJ

**STIPULATION TO DISMISS SUPERVISORY  
 LIABILITY (THIRD CAUSE OF ACTION) and  
 DEFENDANT CHIEF BRIAN FOLEY;  
~~PROPOSED~~ ORDER**

20 **TO THE CLERK OF THE COURT, ALL PARTIES, AND THEIR ATTORNEYS**  
 21 **OF RECORD:**

22 Plaintiff GARY CASTRO and Defendants CITY OF UNION CITY, CHIEF OF POLICE  
 23 BRIAN FOLEY, and OFFICER CHRISTOPHER FIGUEIRDO (“Defendants”) have met-and-  
 24 conferred. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), IT IS HEREBY  
 25 STIPULATED among the parties, through their respective counsel, that the following claim(s)  
 26 and defendant(s) are dismissed without prejudice.

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1. That portion of Plaintiff's Third Cause of Action relating to Supervisor Liability is hereby dismissed.
2. Defendant Chief of Police Brian Foley is hereby dismissed, as the only cause of action against him is Supervisor Liability.
3. The remaining portion of Plaintiff's Third Cause of Action (*Monell* liability) is not dismissed.

Dated: February 19, 2016

Respectfully submitted,  
ALLEN, GLAESSNER,  
HAZELWOOD & WERTH, LLP

By: /s/ Kevin P. Allen  
DALE L. ALLEN, JR.  
KEVIN P. ALLEN  
Attorneys for Defendants  
CITY OF UNION CITY, CHIEF OF POLICE  
BRIAN FOLEY, OFFICER CHRISTOPHER  
FIGUEIRDO

Dated: February 19, 2016

LAW OFFICES OF STEVEN TAXMAN  
  
By: /s/ Steven Taxman  
STEVEN TAXMAN  
Attorneys for Plaintiff  
GARY JOSEPH CASTRO

~~PROPOSED~~ ORDER

IT IS SO ORDERED.

Dated: February 22, 2016

  
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HON. MARIA-ELENA JAMES  
U.S. MAGISTRATE JUDGE