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5 Attorneys for Defendants  
 6 COUNTY OF ALAMEDA; SHERIFF GREGORY AHERN; SHERIFF'S DEPUTY ALBERT J.  
 7 SAMS; SHERIFF'S DEPUTY J. SELLS; SHERIFF'S DEPUTY SCOTT BRANDON;  
 8 SHERIFF'S DEPUTY MISTY JOHNSON; SHERIFF'S DEPUTY JUSTIN MIGUEL;  
 9 SHERIFF'S DEPUTY MARC PETRINI; SHERIFF'S SERGEANT E. MARAPAO; SHERIFF'S  
 10 DEPUTY S. LENTHE; SHERIFF'S DEPUTY J. WHITE; SHERIFF'S SERGEANT RICHARD  
 11 FRANCO

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA

14 AARON SMITH,  
 15 Plaintiff,  
 16 vs.

**CASE NO.: CV14-03080 MEJ**  
**STIPULATION FOR ENTRY OF ORDER**  
**OF DISMISSAL AND ~~PROPOSED~~**  
**ORDER**

17 COUNTY OF ALAMEDA; SHERIFF  
 18 GREGORY AHERN; SHERIFF'S DEPUTY  
 19 ALBERT J. SAMS (Badge No. 202441);  
 20 SHERIFF'S DEPUTY J. SELLS (Badge No.  
 21 1651); SHERIFF'S DEPUTY SCOTT  
 22 BRANDON (Badge No. 1815); SHERIFF'S  
 23 DEPUTY MISTY JOHNSON (Badge No.  
 24 1635); SHERIFF'S DEPUTY JUSTIN  
 MIGUEL (Badge No. 1891); SHERIFF'S  
 DEPUTY MARC PETRINI (Badge No. 1389);  
 SHERIFF'S DEPUTY SERGEANT E.  
 MARAPAO (Badge No. 1486); SHERIFF'S  
 DEPUTY S. LENTHE (Badge No. 1227);  
 SHERIFF'S DEPUTY J. WHITE; SHERIFF'S  
 SERGEANT RICHARD FRANCO (Badge No.  
 105055), and DOES 1-100, Inclusive,  
 Defendants.

25 WHEREAS all parties to this action, namely, Plaintiff AARON SMITH and Defendants  
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1 COUNTY OF ALAMEDA; SHERIFF GREGORY AHERN; SHERIFF'S DEPUTY ALBERT J.  
2 SAMS; SHERIFF'S DEPUTY J. SELLS; SHERIFF'S DEPUTY SCOTT BRANDON;  
3 SHERIFF'S DEPUTY MISTY JOHNSON; SHERIFF'S DEPUTY JUSTIN MIGUEL;  
4 SHERIFF'S DEPUTY MARC PETRINI; SHERIFF'S SERGEANT E. MARAPAO; SHERIFF'S  
5 DEPUTY S. LENTHE; SHERIFF'S DEPUTY J. WHITE; SHERIFF'S SERGEANT RICHARD  
6 FRANCO, and each of them (the "Settling Parties"), have reached a mutual and amicable  
7 settlement and have entered into a separate agreement for settlement of this action, the terms of  
8 which are set forth in writing in the "Settlement Agreement and Release of all Claims" ("the  
9 Settlement Agreement"), to fully and finally resolve all matters concerning the Settling Parties  
10 without trial;

11 WHEREAS the Settlement Agreement covers all the claims between the Settling Parties  
12 in this action;

13 WHEREAS the Settling Parties agree to pay their own attorney fees and costs; and

14 WHEREAS there are no further issues for the Court to resolve as between the Settling  
15 Parties,

16 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

17 1. This action, including each of Plaintiff's causes of action set out in Plaintiff's  
18 Complaint against all named defendants, shall be dismissed with prejudice, with each party to  
19 bear its own attorney fees and costs.

20  
21 IT IS SO STIPULATED.

22  
23 Edrington, Schirmer & Murphy LLP

24 Date: 1/21/16

/s/  
25 Timothy P. Murphy, Esq.  
26 Attorney for Defendants

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Brent, Fiol & Pratt, LLP

Date: 1/21/16

/s/  
David Fiol, Esq.  
Attorney for Plaintiff

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Date: January 21, 2016

  
\_\_\_\_\_  
Maria-Elena James  
U.S. Magistrate Judge

1 **CERTIFICATION BY TIMOTHY P. MURPHY PURSUANT TO LOCAL RULE NO.5-1,**  
2 **SECTION (i)(3). RE E-FILING ON BEHALF OF MULTIPLE SIGNATORIES**

3 1. I am an attorney licensed to practice law in the State of California, and am an  
4 attorney in the law firm of Edrington, Schirmer & Murphy, counsel for Defendants COUNTY OF  
5 ALAMEDA; SHERIFF GREGORY AHERN; SHERIFF'S DEPUTY ALBERT J. SAMS;  
6 SHERIFF'S DEPUTY J. SELLS; SHERIFF'S DEPUTY SCOTT BRANDON; SHERIFF'S  
7 DEPUTY MISTY JOHNSON; SHERIFF'S DEPUTY JUSTIN MIGUEL; SHERIFF'S DEPUTY  
8 MARC PETRINI; SHERIFF'S SERGEANT E. MARAPAO; SHERIFF'S DEPUTY S. LENTHE;  
9 SHERIFF'S DEPUTY J. WHITE; SHERIFF'S SERGEANT RICHARD FRANCO. The  
10 statements herein are made on my personal knowledge, and if called as a witness, I could and  
11 would testify thereto.

12 2. The above e-filed document contains multiple signatures. I declare that  
13 concurrence has been obtained from each of the other signatories to file this jointly prepared  
14 document with the Court. Pursuant to Local Rule 5-1, section (i)(3), I shall maintain records to  
15 support this concurrence for subsequent production for the Court if so ordered, or for inspection  
16 upon request by a party until one year after final resolution of the action (including appeal, if any).  
17 I declare under penalty of perjury under the laws of the United States of California that the  
18 foregoing is true and correct on January 21, 2016.

19  
20 /s/  
21 Timothy P. Murphy