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11 Attorneys for Defendants  
12 CITY OF SAN PABLO, OFFICER BRIAN MURPHY and  
13 SERGEANT BRIAN BUBAR

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23 Attorneys for Plaintiff  
24 MAXIMO RIVERA

25 UNITED STATES DISTRICT COURT  
26 NORTHERN DISTRICT OF CALIFORNIA  
27 SAN FRANCISCO DIVISION

28 MAXIMO RIVERA, an individual,

Plaintiff,

vs.

CITY OF SAN PABLO, et al,

Defendants.

**Case No.: 3:15-cv-01500-MEJ (JSC)**

**STIPULATION AND [PROPOSED]  
ORDER DISMISSING ENTIRE ACTION  
WITH PREJUDICE**

Plaintiff MAXIMO RIVERA ("RIVERA") and Defendants CITY OF SAN PABLO,  
OFFICER BRIAN MURPHY and SERGEANT BRIAN BUBAR hereby stipulate by and

1 through their undersigned counsel of record to the following:

2 WHEREAS, this case settled on October 15, 2015, contingent on the Medicare  
3 Lien either being satisfied from the settlement proceeds or waived.

4 WHEREAS, by notice dated April 21, 2016 Medicare waived its lien.

5 WHEREAS, the Settlement Agreement provides that within five days of  
6 receiving the settlement check, plaintiff's counsel will authorize the filing of a Stipulation  
7 and Proposed Order dismissing the entire action with prejudice, each party to bear  
8 their own fees and costs.

9 WHEREAS, the plaintiff's counsel received the settlement check on May 11,  
10 2016.

11 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

12 Dated: June 2, 2016

**LAW OFFICES OF JOHN BURRIS**

13 By:           /s/ DeWitt Lacy, Esq.            
14 DeWITT LACY, ESQ.  
15 Attorneys for Plaintiff MAXIMO RIVERA

16 Dated: June 2, 2016

**LEONE & ALBERTS**

17 By:           /s/ Claudia Leed, Esq.            
18 LOUIS A. LEONE, ESQ.  
19 CLAUDIA LEED, ESQ.  
20 Attorneys for Defendants CITY OF SAN PABLO,  
21 OFFICER BRIAN MURPHY and SERGEANT  
22 BRIAN BUBAR

23 **~~PROPOSED~~ ORDER**

24 Pursuant to the stipulation of the parties, and good cause appearing, the Court  
25 hereby dismisses this entire action with prejudice.

26 **IT IS HEREBY ORDERED.**

27 Dated: June 2, 2016

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HON. MARIA ELENA JAMES  
UNITED STATES MAGISTRATE JUDGE