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 9 IN THE UNITED STATES DISTRICT COURT  
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

12  
13 **JOE ABBOTT,**

14 Plaintiff,

15 v.

16 **E. TOOTELL, et al. ,**

17 Defendants.  
18

Case No. 3:17-cv-04004-SI

**STIPULATION FOR VOLUNTARY  
 DISMISSAL WITH PREJUDICE  
 (Fed. R. Civ. P. 41(a)(1)(A)(ii))**

19  
 20 Connie Abbott, who has filed a notice of substitution as plaintiff for the deceased-inmate  
 21 former plaintiff Joe Abbott, and Defendants E. Tootell and S. Garrigan, have resolved this case in  
 22 its entirety. Therefore, the parties stipulate to a dismissal of this action with prejudice under

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1 Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

2 Each party shall bear its own litigation costs and attorney's fees.

3 It is so stipulated.

4  
5 Dated:

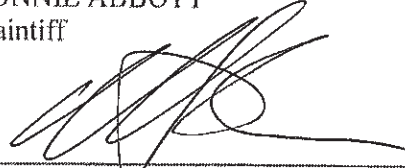
9/21/18



6 CONNIE ABBOTT  
7 Plaintiff

8 Dated:

9-21-18



9 Caitlin C. Ross  
10 Deputy Attorney General  
11 California Attorney General's Office  
12 Attorneys for Defendants E. Tootell and S.  
13 Garrigan

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## CERTIFICATE OF SERVICE

Case Name: Abbott, Joe v. E. Tootell, et al.

No. 3:17-cv-04004-SI

I hereby certify that on September 26, 2018, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

**STIPULATION FOR VOLUNTARY DISMISSAL WITH PREJUDICE  
(Fed. R. Civ. P. 41(a)(1)(A)(ii))**

Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

I further certify that some of the participants in the case are not registered CM/ECF users. On September 26, 2018, I have caused to be mailed in the Office of the Attorney General's internal mail system, the foregoing document(s) by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within three (3) calendar days to the following non-CM/ECF participants:

**Connie Abbott  
1114 E. Ada Avenue  
Glendora, CA 91741**

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on September 26, 2018, at San Francisco, California.

E. Tornqvist  
Declarant

/s/ E. Tornqvist  
Signature