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 13 JOSE HIGAREDA GOMEZ

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 OAKLAND DIVISION

17 JOSE HIGAREDA GOMEZ,

18 Plaintiff,

19 v.

20 CITY OF FREMONT, et al.,

21 Defendants.

CASE NO. C07-00005 LB

**STIPULATION AND [PROPOSED] ORDER
 FOR DISMISSAL WITH PREJUDICE**

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1 WHEREAS, Plaintiff Jose Higareda Gomez ("Plaintiff") filed this action against the
2 City of Fremont, Police Chief Craig Steckler, and police officers Timothy Baldocchi and Matthew
3 Snelson ("Defendants") for money damages pursuant to 42 U.S.C. Sections 1983 and 1988, and
4 the Fourth, Eighth and Fourteenth Amendments of the United States Constitution, and under the
5 common and statutory law of the State of California;

6 WHEREAS, Plaintiff and Defendants ("Parties") have entered into a Settlement
7 Agreement requiring the filing of this Stipulation and [Proposed] Order for Dismissal with
8 Prejudice;

9 NOW THEREFORE, the Parties, through their respective counsel of record, hereby
10 stipulate as follows:

- 11 1. All claims by Plaintiff against Defendants are dismissed with prejudice.
12 2. In consideration of this dismissal, the City of Fremont will pay to Plaintiff the
13 total sum of eighty thousand dollars and no cents (\$80,000.00).
14 3. All Parties shall bear their own costs, expenses, and fees.

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16 Respectfully submitted.

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18 DATED: March 15, 2011

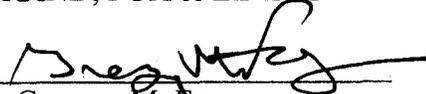
LATHAM & WATKINS LLP

19 By 

20 _____
Danielle A. Lackey
Attorneys for Plaintiff
JOSE HIGAREDA GOMEZ

21
22
23 DATED: March 22, 2011

BERTRAND, FOX & ELLIOT

24 By 

25 _____
Gregory M. Fox
Attorney for Defendants
CITY OF FREMONT, FREMONT POLICE
CHIEF CRAIG STECKLER and
OFFICERS TIMOTHY BALDOCCHI and
MATTHEW SNELSON

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ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the complaint of Plaintiff Jose Higareda Gomez against the Defendants City of Fremont, Police Chief Craig Steckler, and police officers Timothy Baldocchi and Matthew Snelson, be and is hereby dismissed in its entirety with prejudice. Each party shall bear its own costs and attorneys fees.

SO ORDERED.

Dated: March 25, 2011

