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 11 and MAYA YNOSTROZA

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10

11 RYAN QUINN and ROXANA
 12 PANGELINAN,

13 Plaintiffs,

14 vs.

15 COUNTY OF ALAMEDA, MAYA
 16 YNOSTROZA, and DOES 1 through 150,

17 Defendant

) Case No.: CV084018 WDB
)
)

) STIPULATION AND ~~PROPOSED~~ ORDER
) DISMISSING FEDERAL CLAIMS OF THE
) COMPLAINT AND REMANDING ACTION
) TO STATE COURT
)
)

18
 19 IT IS HEREBY STIPULATED BY AND BETWEEN plaintiffs RYAN QUINN and
 20 ROXANA PANGELINAN and defendants COUNTY OF ALAMEDA and MAYA
 21 YNOSTROZA, by and through their attorneys of record, that:
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23 1. Plaintiffs' federal claims in this action, as alleged in their third cause of action,
 24 and whether brought under the United States Constitution, 42 U.S.C. 1983 or any other federal
 25 statute or law, are dismissed with prejudice, with each party to bear its own fees and costs as to
 26 these federal claims.
 27

28 2. Plaintiffs' complaint is to be remanded to Alameda County Superior Court.

3. Defendants shall have thirty days from the date this action is reassigned to the active Alameda County Court Calendar to file its responsive pleading.

Dated: September 2, 2008

By: Brian M. McCarthy
Brian McCarthy
Attorney for Plaintiffs RYAN QUINN and
ROXANA PANGELINAN

Dated: September 19, 2008

BERTRAND, FOX & ELLIOT

By: Thomas F. Bertrand
Thomas F. Bertrand
Michael C. Wenzel
Attorneys for Defendants
COUNTY OF ALAMEDA and MAYA
YNOSTROZA

ORDER

Pursuant to the parties' stipulation, IT IS HEREBY ORDERED THAT:

1. Plaintiffs' federal claims in this action, as alleged in their third cause of action, are dismissed with prejudice, with each party to bear its own fees and costs as to these federal claims;

2. Plaintiffs' complaint is hereby remanded to the Alameda County Superior Court; and

3. Defendants' will have thirty (30) days from the date the action is reassigned to the active Alameda County Superior Court calendar to file a responsive pleading.

IT IS SO ORDERED.

Dated: September 22, 2008. Wayne D. Brazil
Wayne D. Brazil
Magistrate Judge of the U.S. District Court