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18 Attorneys for Plaintiffs
 19 BRENDA DAVIS and
 20 DAVID ROY

21 **UNITED STATES DISTRICT COURT**
 22 **NORTHERN DISTRICT OF CALIFORNIA**

23 BRENDA DAVIS and DAVID ROY,

24 Plaintiffs,

25 v.

26 CALIFORNIA DEPARTMENT OF
 27 CORRECTIONS et al.,

28 Defendants.

) Case No: 4:08-cv-04481-SBA

) **STIPULATION AND [PROPOSED]**
) **ORDER DISMISSING PLAINTIFF**
) **DAVID ROY**

) Courtroom: 1, 4th Floor
) Judge: The Honorable Sandra B. Armstrong
) Trial Date: October 28, 2013
) Action Filed: September 4, 2008

29 TO THE HONORABLE COURT AND THE CLERK OF THE COURT:

30 PLEASE TAKE NOTICE THAT THE undersigned counsel of record for plaintiffs
 31 and defendants hereby stipulate and request that the Court enter the following order forthwith:

32 **STIPULATION AND [PROPOSED] ORDER DISMISSING DAVID ROY**
 33 Case No. 4:08-cv-04481-SBA

0000018052H073 PL17

1 Plaintiff David Roy is hereby DISMISSED with prejudice from this action. The other
2 parties are unaffected by this order.
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5 Respectfully submitted,

6 Dated: September 20th, 2013

EDMUND G. BROWN JR.
Attorney General of California

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9 By: /s/ Karen Kiyo Lowhurst
Karen Kiyo Lowhurst,
10 Bonnie Chen, Calif SBN 219349
Deputy Attorneys General
11 Attorneys for Defendants CDCR and
Mandel
12

13 Dated: September 20th, 2013

HAGLUND KELLEY LLP

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15 By: /s/ Christopher Lundberg
Christopher Lundberg, Oregon OSB No. 941084
16 Matthew E. Malsheimer, OSB No. 033847
Admitted *Pro Hac Vice*
17 David Springfield, Calif. SBN 226630
Attorneys for Plaintiffs
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20 Based on the agreement of the parties, and good cause appearing, it is **SO ORDERED**.

21
22 Dated: 9/20/2013


SAUNDRA B. ARMSTRONG
United States District Judge
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28 **STIPULATION AND [PROPOSED] ORDER DISMISSING DAVID ROY**
Case No. 4:08-cv-04481-SBA

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 20th day of September, 2013, I served the foregoing

3 Stipulation and [Proposed] Order Dismissing David Roy, on the following:

4
5 Karen Kiyo Lowhurst
6 Bonnie J. Chen
7 Deputy Attorneys General
8 1515 Clay Street, 20th Floor
9 PO Box 70550
10 Oakland CA 94612-0550

11 Attorneys for Defendants

12 by the following indicated method(s):

- 13 by **mailing** a full, true and correct copy thereof in a sealed first-class postage prepaid envelope, addressed to the foregoing attorney(s) at the last known office address of the attorney(s), and deposited with the United States Post Office at Portland, Oregon on the date set forth above.
- 14 by causing a full, true and correct copy thereof to be **hand delivered** to the attorney(s) at the last known address listed above on the date set forth above.
- 15 by sending a full, true and correct copy thereof via **overnight mail** in a sealed, prepaid envelope, addressed to the attorney(s) as shown above on the date set forth above.
- 16 by **faxing** a full, true and correct copy thereof to the attorney(s) at the fax number shown above, which is the last-known fax number for the attorney(s)' office on the date set forth above.
- 17 by transmitting full, true and correct copies thereof to the attorney(s) through the court's Cm/ECF system on the date set forth above.

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23 /s/Matthew E. Malmshheimer

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28 **STIPULATION AND [PROPOSED] ORDER DISMISSING DAVID ROY**
Case No. 4:08-cv-04481-SBA