

CHAMBER'S COPY

1 EDMUND G. BROWN JR.
 Attorney General of California
 2 MIGUEL A. NERI
 FIEL D. TIGNO
 3 Supervising Deputy Attorneys General
 KAREN KIYO HUSTER
 4 BONNIE J. CHEN
 Deputy Attorneys General
 5 State Bar No. 219394
 1515 Clay Street, 20th Floor
 6 P.O. Box 70550
 Oakland, CA 94612-0550
 7 Telephone: (510) 622-2113
 Fax: (510) 622-2121
 8 E-mail: Bonnie.Chen@doj.ca.gov
 Attorneys for Defendants CDCR, David Mandel,
 9 David Archambault, Timothy McCarthy, Jo Ann Van
 Valkenburgh, Maureen McLean

FILED

MAR 10 2009

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

11 IN THE UNITED STATES DISTRICT COURT
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 13 OAKLAND DIVISION

15 **BRENDA DAVIS and DAVID ROY,**
 16
 Plaintiffs,
 17
 v.
 18
 19 **STATE OF CALIFORNIA,**
DEPARTMENT OF CORRECTIONS AND
 20 **REHABILITATION; DAVID MANDEL,**
Ph.D.; TIMOTHY McCARTHY, Ph.D.;
 21 **JOANN VAN VALKENBURGH;**
MAUREEN McLean and DOES 1-100,
 22
 Defendants.
 23

C 08-4481 SBA
**STIPULATION AND [PROPOSED]
 ORDER DISMISSING DEFENDANT
 STATE OF CALIFORNIA**
 Courtroom: 3, 3rd Floor
 Judge The Honorable Sandra B.
 Armstrong
 Trial Date April 12, 2010
 Action Filed: September 4, 2008

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 25 TO THE HONORABLE COURT AND THE CLERK OF THE COURT:
 26 TAKE NOTICE THAT THE undersigned counsel of record for plaintiffs and defendants
 27 hereby stipulate and request that the Court enter the following order forthwith:
 28

1 Defendant State of California hereby is DISMISSED with prejudice from this action. The
2 other parties are unaffected by this order. No party will be liable for any other party's attorneys'
3 fees or costs of suit by reason of this dismissal. No party will be considered a prevailing party by
4 reason of this dismissal.

5 Dated: March 9, 2009

Respectfully submitted,

6 EDMUND G. BROWN JR.
Attorney General of California

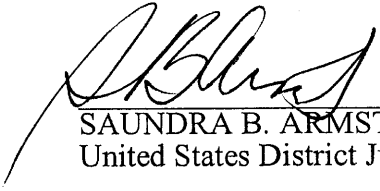
7 _____
8 /s/ BONNIE J. CHEN _____
9 BONNIE J. CHEN
Deputy Attorney General
10 *Attorneys for Defendants CDCR, Mandel,
Archambault, McCarthy, Van Valkenburgh
& McLean*

11 ABRAHAM N. GOLDMAN & ASSOCIATES, LTD.

12 _____
13 /s/ ABRAHAM N. GOLDMAN _____
14 ABRAHAM N. GOLDMAN, ESQ.
*Attorneys for Plaintiffs Brenda Davis and
David Roy*

15 Based on the agreement of the parties, and good cause appearing, it is SO ORDERED.
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20 Dated: 3-13-09

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22 _____
23 SAUNDRA B. ARMSTRONG
24 United States District Judge

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