

1 Jeffrey L. Bornstein (SBN 99358)
 jeff.bornstein@klgates.com
 2 Rachel Chatman (SBN 206775)
 rachel.chatman@klgates.com
 3 K&L GATES LLP
 4 4 Embarcadero Center, Suite 1200
 San Francisco, California 94111
 Telephone: (415) 882-8200
 5 Facsimile: (415) 882-8220
 Attorneys for PLAINTIFF
 6 DANIEL GENE SCHAFER

E-FILED - 1/12/11

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 8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

11 DANIEL GENE SCHAFER,
 12
 Plaintiff,
 13 v.
 14 BEN CURRY, et al.,
 15
 Defendants.
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C 08-1881 RMW (PR)
 STIPULATION FOR DISMISSAL WITH
 PREJUDICE PURSUANT TO FED. R.
 CIV. PRO. 41(a)(1)(A)(ii); and
 STIPULATION TO ADD ADDITIONAL
 DEFENDANT; |XXXXXXXXXX| ORDER

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 19 NOTICE IS HEREBY GIVEN that pursuant to Fed. R. Civ. Proc. 41(a)(1)(A)(i),
 20 Plaintiff Daniel Gene Schafer, after appearing before Magistrate-Judge Nandor J. Vadas, and with
 21 the consent of the California Department of Corrections and Rehabilitation, requests the Court's
 22 Order dismissing the pending complaint against Defendants Crystal Williams and Myesha Payne

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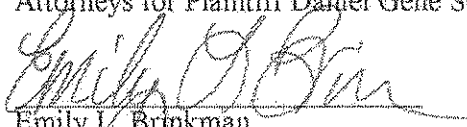
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be conditioned upon the addition of the California Department of Corrections and Rehabilitation as the sole named defendant in their place. It is requested that said dismissal be with prejudice.

Dated: 12/20/2010


Rachel Chatman
Attorneys for Plaintiff Daniel Gene Schafer

Dated: 12/20/2010


Emily L. Brinkman
Attorneys for Defendants Williams and Payne

IT IS SO ORDERED:

Dated: 1/12/11


HONORABLE RONALD M. WHITE
United States District Court Judge