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14 IN THE UNITED STATES DISTRICT COURT  
 15 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 16 SAN JOSE DIVISION

18 **REUBEN J. REYES,**  
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 Plaintiff,  
 20  
 v.  
 21  
 22 **WARDEN ROBERT HOREL, et al.,**  
 23 Defendants.

C 08-4561 RMW (PR)  
**STIPULATION AND []  
 ORDER OF VOLUNTARY DISMISSAL  
 WITH PREJUDICE**

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**E-FILING ATTESTATION**

By his signature below, and pursuant to General Order 45, counsel for Defendant attests that counsel for all parties whose electronic signatures appear below have concurred in the filing of this Stipulation.

Dated: October 24, 2012

By: /s/ William J. Newsom  
PEARSON, SIMON, WARSHAW & PENNY, LLP  
*Attorneys for Plaintiff REUBEN JOSEPH REYES*

Dated: October 24, 2012

By: /s/ Michael J. Quinn  
Deputy Attorney General  
*Attorneys for Defendants FISCHER, HARRISON, HOREL, TERRY, CHADWICK, and BERKLER*

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: \_\_\_\_\_



The Honorable Ronald M. Whyte  
United States District Court Judge