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6 Attorneys for Plaintiffs GERALDINE MALDONADO,
 7 PRISCILLA MALDONADO, and M.M.,
 a minor, by and through his Guardian Ad Litem,
 8 MIGUEL MALDONADO

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

11 GERALDINE MALDONADO,
 12 PRISCILLA MALDONADO, and M.M., a
 minor, by and through his Guardian Ad
 13 Litem, MIGUEL MALDONADO,

Case No. 5:08-cv-05642-JW

**STIPULATION OF DISMISSAL
 (F.R.C.P. 41(a)(1)(A)(ii))**

14 Plaintiffs,

15 vs.

16 CITY OF GILROY, GILROY POLICE
 DEPARTMENT, CHIEF GREGG
 17 GIUSIANA, SERGEANT CHAD
 GALLACINAO, CORPORAL JIM
 18 CALLAHAN and DOES 1-50, Inclusive,

19 Defendants.

20 **STIPULATION OF VOLUNTARY DISMISSAL**
 21 **PURSUANT TO F.R.C.P. 41(a)(1)(A)(ii)**

22 IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto,
 23 through their respective counsel, that the above-captioned matter shall be dismissed with
 24 prejudice in its entirety and as against defendants City of Gilroy, Chief Gregg Giusiana (Ret.),
 25 Sergeant Chad Gallacinao and Corp. Jim Callahan, pursuant to Federal Rule of Civil Procedure
 26 41(a)(1)(A)(ii). Each side shall bear its own costs and attorneys' fees. The Clerk shall close this file.

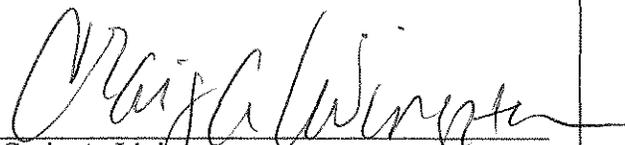
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IT IS SO STIPULATED.

Dated: February 3, 2011.

LIVINGSTON LAW FIRM, P.C.

By 

Craig A. Livingston
Attorneys for Plaintiffs GERALDINE
MALDONADO, PRISCILLA
MALDONADO, and M.M., a minor, by and
through his Guardian Ad Litem, MIGUEL
MALDONADO

Dated: February 2, 2011.

BURTON, SCHMAL & DiBENEDETTO

By 

TIMOTHY J. SCHMAL, ESQ.
Attorneys for Defendants CITY OF
GILROY, SERGEANT CHAD
GALLACINAO, CORPORAL
CALLAHAN, and POLICE CHIEF
GREGG GIUSIANA (RET.).

1 **CERTIFICATE OF SERVICE**

2 (28 U.S.C. § 1746)

3 I am employed in the County of Contra Costa, State of California. I am over the age of 18
4 years and not a party to the within action. My business address is 1600 South Main Street, Suite
280, Walnut Creek, California, 94596.

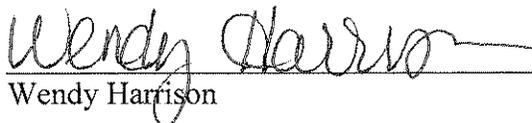
5 I am readily familiar with the business practice for collection and processing of
6 correspondence for mailing with the United States Postal Service. On the date indicated below, at
7 the above-referenced business location, I sealed envelopes, enclosing a copy of the following
documents:

8 **STIPULATION OF DISMISSAL (F.R.C.P. 41(a)(1)(A)(ii))**

9 addressed as shown below, and placed them for collection and mailing following ordinary
10 business practices to be deposited with the United States Postal Service on the date indicated
below.

11 Timothy J. Schmal, Esq.
12 Ashley B. Wheelock, Esq.
13 Burton, Schmal & DiBenedetto, LLP
13 133 Mission Street, Suite 102
14 Santa Cruz, CA 95060
14 Tel: (831) 425-5023
15 Fax: (831) 427-3159
15 *Attys for: City of Gilroy, Gilroy Police*
16 *Department, Chief Gregg Giusiana (Retired),*
17 *Sergeant Chad Gallacinao, Corporal Jim*
Callahan

18
19 I declare under penalty of perjury that the foregoing is true and correct. Executed at
Walnut Creek, California, on February 14, 2011.

20
21 
22 Wendy Harrison