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5 Attorneys for Plaintiffs MARLO
 6 CUSTODIO and MARILOU CUSTODIO .



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 8 UNITED STATES DISTRICT COURT
 9 COUNTY OF SANTA CLARA
 10 SAN JOSE DIVISION

11 MARLO CUSTODIO, ROMEL CUSTODIO,
 12 MARILOU CUSTODIO, and OSCAR "O.J."
 13 CUSTODIO, JR.,

Case Number: C09-00527 RMW

14 Plaintiffs,

**STIPULATION and ~~PROPOSED~~
 ORDER RE: DISMISSAL WITH
 PREJUDICE OF CASE**

15 v.

16 THE COUNTY OF SANTA CLARA,
 17 CALIFORNIA, CITY OF SAN JOSE, CHIEF
 18 ROBERT DAVIS, SGT. EVANS, OFFICERS
 19 EPP, OFFICER MORASCI, OFFICER
 20 TRAN, OFFICER UNGER, OFFICER
 21 DEMARIA, OFFICER JEFFREY, OFFICER
 22 CRAWLEY, OFFICER PURNELL,
 23 OFFICER CAHILL, and DOES 1-50,
 24 inclusive,

25 Defendants.

26 PLAINTIFF MARLO CUSTODIO by and through his attorneys of record in the above-
 27 entitled action and pursuant to FRCP 41 (a)(1)(A)(ii) agree to dismiss his entire case against all
 28 defendants with prejudice. The parties further stipulate to bear their own attorney's fees, costs and
 expenses.

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Respectfully submitted,

Dated: May 3, 2012

LAW OFFICE OF MICHAEL REISER

By: /s/ Michael Reiser
Michael J. Reiser
Attorneys for Plaintiffs MARLO
CUSTODIO

Dated: May 3, 2012

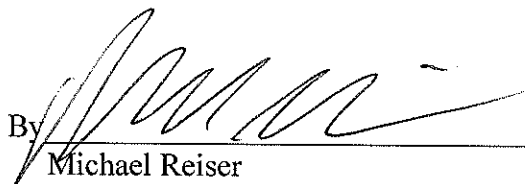
CITY OF SAN JOSE

By: /s/ Richard North
Attorneys for Defendants

ATTESTMENT OF CONCURRENCE PER GENERAL ORDER 45 FOR FILING:

I attest that concurrence in the filing of this document by the signatories, Richard D. North and Michael Reiser, has been obtained, and that a record of the concurrence shall be maintained at the Law Office of Michael Reiser.

Dated: May 3, 2012

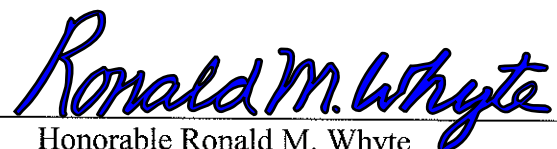
By: 
Michael Reiser

The Court having considered the stipulation of the parties, and good cause appearing therefor, orders as follows:

1. The action is dismissed with prejudice as against all Defendants pursuant to FRCP 41(a)(1)(A).
2. Each party shall bear their own costs and attorneys' fees.

IT IS SO ORDERED.

Dated: _____


Honorable Ronald M. Whyte
Senior District Judge
Northern District of California