1	MIGUEL MÁRQUEZ, Acting County Counsel (S.B. #184621)			
2	MELISSA R. KINIYALOCTS, Lead Deputy County Counsel (S.B. #215814) OFFICE OF THE COUNTY COUNSEL			
3				
4	Telephone: (408) 299-5900 Facsimile: (408) 292-7240			
5	Attorneys for Defendants COUNTY OF SANTA CLARA, TIMOTHY			
6 7	RYAN, VIRGIL KING, DANIEL VASQUEZ, ERICA SMITH, and WILLIAM CARTER			
8				
		<u>*E-FILED - 1/14/10*</u>		
9	GIBSON, DUNN & CRUTCHER LLP			
10 11	555 Mission Street, Suite 3000 San Francisco, California 94105-2933			
12				
13	Attorney for Plaintiff DAVID LITMON, JR.			
13				
15	UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA			
16	(San Jose)			
17		C00-20345 RMW		
18		LATION AND ORDER FOR		
19	) DISMIS			
20	)			
21	)			
22				
23	Plaintiff, David Litmon ("Plaintiff") and Defendants County of Santa Clara, Timothy			
24	Ryan, Virgil King, Daniel Vasquez, Erica Smith, and William Carter ("Defendants"), hereby			
25	stipulate and agree to a binding Court order as follows:			
26	Whereas on March 28, 2000 Plaintiff filed a complaint.			
27	Whereas during the Settlement Conference on November 13, 2009 the parties entered into			
28	a global settlement agreement involving Case Nos. Co	a global settlement agreement involving Case Nos. C00-20345, C03-2054, and C09-2158.		

1	Whereas Plaintiff hereby dismisses with prejudice his Complaint on file herein (C00-		
2	20345) against the County.		
3	Whereas Plaintiff and Defendant agree to waive any claim for costs and/or attorneys' fees		
4	against one another.		
5	IT IS SO STIPULATED:		
6			GIBSON, DUNN & CRUTCHER LLP
7			
8	Dated: January 8, 2010	By:	/S/ CATHERINE TYLER, ESQ.
9			Attorney for Plaintiff
10			DAVID LITMON, JR.
11			
12			MIGUEL MÁRQUEZ
13			Acting County Counsel
14	Dated: January 8, 2010	By:	/S/
15	2 400 40 0 411 0 412 0 1 0	23.	/S/ MELISSA R. KINIYALOCTS Lead Deputy County Counsel
16			Attorneys for Defendants
17			COUNTY OF SANTA CLARA, TIMOTHY RYAN, VIRGIL KING,
18			DANIEL VASQUEZ, ERICA SMITH, and WILLIAM CARTER
19			
20			
21	ORDER		
22	IT IS SO ORDERED.		
23	1/14/10		Konald M. Whyte
24	Dated: 1/14/10		TOTALED IVI. WILLIE
25			United States District Court Judge
26			
27			
28	235668.wpd		