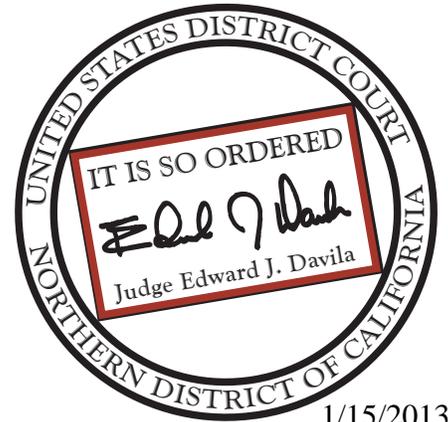


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10 Attorneys for Defendants CITY OF SAN JOSE, RICK
11 YU, NATHAN TRANG, AND JARROD NUNES



1/15/2013

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

12 CHARLES DIEHL,
13 Plaintiff(s),
14
15 v.
16 CITY OF SAN JOSE, et al., and
17 DOES, 1-20 inclusive,
18 Defendant(s).

Case Number: CV11-03777 EJD
STIPULATION OF DISMISSAL
(Fed R Civ P 41(a)(1))

19
20 IT IS HEREBY STIPULATED AND AGREED, pursuant to Federal Rules of Civil
21 Procedure, Rule 41(a)(1), by and between Plaintiff Charles Diehl and all Defendants who
22 have appeared in this action, as follows:

- 23 1. This action was commenced on or about August 1, 2011.
24 2. The action is not a class action; a receiver has not been appointed; and the
25 action is not governed by any statute of the United States that requires an order of the
26 court for dismissal.
27 3. This action is hereby dismissed, in its entirety, with prejudice.
28

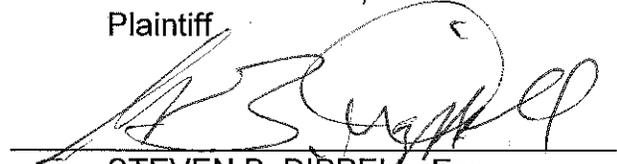
1 4. Each party is to bear their own costs and attorneys' fees.
2 The Clerk shall close this file.

3 Dated: 01-09-2013



CHARLES DIEHL,
Plaintiff

4
5
6 Dated: 1/14/13



STEVEN B. DIPPEL, Esq.,
Counsel for Defendants

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1 CERTIFICATE OF OF SERVICE

2 CASE NAME: Diehl v. Yu, et al.,

3 CASE NO.: CV11-03777 EJD

4 I, the undersigned declare as follows:

5 I am a citizen of the United States, over 18 years of age, employed in Santa Clara
6 County, and not a party to the within action. My business address is 200 East Santa Clara
7 Street, San Jose, California 95113-1905, and is located in the county where the service
8 described below occurred.

9 On January 14, 2013, I caused to be served the within:

10 **STIPULATION OF DISMISSAL**

11 by MAIL, with a copy of this declaration, by depositing them into a sealed envelope,
12 with postage fully prepaid, and causing the envelope to be deposited for collection
13 and mailing on the date indicated above.

14 I further declare that I am readily familiar with the business' practice for collection
15 and processing of correspondence for mailing with the United States Postal
16 Service. Said correspondence would be deposited with the United States Postal
17 Service that same day in the ordinary course of business.

18 Addressed as follows:

19 Charles Diehl
20 14814 Rossmoyne Drive
21 San Jose, California 95124

22 Plaintiff, In Pro Per

23 I declare under penalty of perjury under the laws of the State of California that the
24 foregoing is true and correct. Executed on January 14, 2013, at San Jose, California.

25 Alice Shore
26 Alice Shore