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 GARDEN CITY, INC., dba CASINO M8TRIX
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9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **SAN JOSE DIVISION**

12 GARDEN CITY, INC., dba CASINO
 M8TRIX, a California corporation,
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 Plaintiff,
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 vs.
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 16 CITY OF SAN JOSE, a California municipal
 corporation, SAN JOSE POLICE
 DEPARTMENT, for the City of San Jose,
 17 RICHARD TENG, individually and as
 Administrator of the San Jose Police
 18 Department Division of Gaming Control, and
 DOES 1-100, inclusive,
 19
 Defendants.
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Case No.: CV 13-0577 PSG

STIPULATION AND ORDER OF VOLUNTARY DISMISSAL

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 24 Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff Garden City Inc., dba Casino
 25 M8trix ("Casino M8trix"), and Defendants the City of San Jose, the San Jose Police Department,
 26 and Richard Teng (collectively the "Defendants"), through their undersigned attorneys,
 27 STIPULATE AND AGREE as follows:

28 WHEREAS, Casino M8trix filed a Complaint against Defendants in this Court on February

1 8, 2013;

2 WHEREAS, on October 31, 2013, Defendants filed a motion for summary judgment, which
3 the Court subsequently denied;

4 WHEREAS, Casino M8trix has determined to dismiss this action and, in light of the prior
5 filing of a summary judgment motion, seeks to do so pursuant to Federal Rule of Civil Procedure
6 41(a)(1)(A)(ii).

7 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between
8 Casino M8trix and Defendants that the above captioned action shall be dismissed without prejudice
9 pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). Each party shall bear its own costs
10 and fees.

11 IT IS SO STIPULATED.

12 Dated: April 8, 2014

SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP

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14
15 By: 

AMY S. PARK
Attorney for Plaintiff

GARDEN CITY, INC., dba CASINO M8TRIX

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17
18 Dated: April 8, 2014

RICHARD DOYLE, City Attorney

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20 By: 

ARDEIL JOHNSON
Chief Deputy City Attorney
Attorney for Defendants,
CITY OF SAN JOSE, SAN JOSE POLICE
DEPARTMENT and RICHARD TENG

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24 IT IS SO ORDERED.

25 DATED: April 8, 2014



The Honorable Paul S. Grewal
Judge of the District Court