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5 Attorneys for Defendants  
 COUNTY OF SANTA CLARA and  
 6 SERGEANT ANDREW AGUILAR

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10 Attorneys for Plaintiff  
 11 JULIAN VASQUEZ-BERNABE

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 (San Jose Division)

15 JULIAN VASQUEZ-BERNABE,

16 Plaintiff,

17 v.

18 COUNTY OF SANTA CLARA,  
 CORRECTIONAL DEPUTY EDDIE  
 19 BARRERA, CORRECTIONAL DEPUTY  
 EMMANUEL THOMAS, and SERGEANT  
 20 ANDREW AGUILAR,

21 Defendants.

No. 16-CV-03218-EJD

**STIPULATION AND ~~PROPOSED~~ ORDER  
 TO DISMISS THE ACTION PURSUANT  
 TO F.R.C.P. 41**

22  
 23 **IT IS HEREBY STIPULATED** by and between the parties to this action through their  
 24 designated counsel that above-captioned action, be and hereby is dismissed with prejudice pursuant  
 25 to Federal Rules of Civil Procedure, Rule 41(a)(1). Each side shall bear their own attorney's fees  
 26 and costs.

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28 //

1 I hereby attest that I have on file all holographic signatures corresponding to any signatures  
2 indicated by a conformed signature /S/ within this e-filed document.

3 POWELL & ASSOCIATES

4 Dated: October 30, 2017

By: \_\_\_\_\_ /S/

SARAH E. MARINHO

5 Attorneys for Plaintiff  
6 JULIAN VASQUEZ-BERNABE

7  
8 JAMES R. WILLIAMS  
County Counsel

9 Dated: October 30, 2017

10 By: \_\_\_\_\_ /S/

MELISSA KINIYALOCTS  
Deputy County Counsel

11 Attorneys for Defendants  
12 COUNTY OF SANTA CLARA and  
13 SERGEANT ANDREW AGUILAR

14 McDOWALL COTTER, A.P.C.

15  
16 Dated: October 30, 2017

By: \_\_\_\_\_ /S/

17 DAVID S. ROSENBAUM

18 Attorneys for Defendant  
19 DEPUTY EMMANUEL THOMAS

20 DAVIS & YOUNG, APLC

21  
22 Dated: October 30, 2017

By: \_\_\_\_\_ /S/

23 STEVEN B. DIPPELL


24 Attorneys for Defendant  
25 DEPUTY EDDIE BARRERA

**[PROPOSED] ORDER**

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**IT IS SO ORDERED.**

Dated: October 31, 2017

  
EDWARD J. DAVILA  
United States District Judge