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8	UNITED STATES DISTRICT COURT
9	NORTHERN DISTRICT OF CALIFORNIA
10	SAN JOSE DIVISION
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12	MICHAEL MALLOY; AMI MALLOY; ) Case No. 5:16-cv-05135-EJD
13	L.S. MALLOY, a minor by and through his ) STIPULATION FOR DISMISSAL OF proposed guardian ad litem AMI MALLOY;) DEFENDANTS CITY OF SCOTTS VALLEY
14	E.S. MALLOY, a minor by and through his ) AND OFFICER MICHAEL BIRLEY; proposed guardian ad litem AMI MALLOY, ) [PROPOSED] ORDER
15	Plaintiffs,
16	VS.
17	COUNTY OF SANTA CRUZ, CITY OF ) SCOTTS VALLEY, OFFICER MICHAEL )
18	BIRLY; CAROLYN STRAGE; WENDELL) STAMPS; YOONI POMPER; ERIN
19	BURTON; STEPHANIE VICOTTI, ) ANGELICA GLASS; JUDY YOKEL; )
20	CECILIA ESPINOZA; BEATRIZ ) MONJAREZ; AND 20 UNKNOWN )
21	AGENTS/EMPLOYEES OF THE ) COUNTY OF SANTA CRUZ AND THE )
22	CITY OF SCOTTS VALLEY,
23	Defendants.
24	)
25	Pursuant to Federal Rule of Civil Procedure 41(a)(2), Plaintiffs MICHAEL MALLOY;
26	AMI MALLOY; L.S. MALLOY, a minor by and through his proposed guardian ad litem AMI
27	MALLOY; E.S. MALLOY, a minor by and through his proposed guardian ad litem AMI
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	Image: Instant control of Dismissal of Scotts Valley Defendants Case No. C16-05135-EJD
	Dockets Justia

1	MALLOY, by and through their attorney, Kathleen E. Wells, and Defendants CITY OF
2	SCOTTS VALLEY and MICHAEL BIRLEY ("Scotts Valley Defendants"), by and through their
3	attorneys, Law Office of Vincent P. Hurley, stipulate as follows:
4	In exchange for a mutual waiver of fees and costs, Plaintiffs and Scotts Valley
5	Defendants stipulate to dismissal of Plaintiffs' complaint, with prejudice, as to Defendants CITY
6	OF SCOTTS VALLEY and MICHAEL BIRLEY, only.
7	Detail. June 20, 2017
8	Dated: June 30, 2017
9	By: <u>/s/</u> KATHLEEN E. WELLS Attorney for Plaintiffs MICHAEL MALLOY,
10	AMI MALLOY, L.S. MALLOY and E.S. MALLOY
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12	Dated: June 29, 2017
13	LAW OFFICES OF VINCENT P. HURLEY A Professional Corporation
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15	By: <u>/s/</u> RYAN M. THOMPSON
16	Attorneys for Defendant CITY OF SCOTTS VALLEY and OFFICER MICHAEL BIRLEY
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19	[PROPOSED] ORDER
20	The Court has reviewed the Stipulation for Dismissal entered into by Plaintiffs and the
21	Scotts Valley Defendants. Based upon a review of the record and good cause appearing, IT IS
22	HEREBY ORDERED that this action is dismissed as to Defendants CITY OF SCOTTS
23	VALLEY and OFFICER MICHAEL BIRLEY, with prejudice. Each Party shall bear their own
24	attorneys' fees and costs.
25	IT IS SO ORDERED.
26	Dated:July 5, 2017
27	Hon. Edward J. Davila, District Court Judge
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	Stipulation of Dismissal of Scotts Valley Defendants Case No. C16-05135-EJD
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