| 1<br>2 | KATHLEEN E. WELLS, State Bar No. 107<br>Attorney at Law<br>3393 Maplethorpe Lane<br>Soquel, California 95073<br>Telephone: (831) 475-1243<br>Email: lioness@got.net | 051   |
|--------|---|---|
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| 4      | Attomatic for Disintific MICHAEL MALL   | NY AMIMATION I C MALLON &                           |
| 5      | Attorneys for Plaintiffs MICHAEL MALLO  | JI, AMI MALLOI, L.S. MALLOI &                       |
| 6      |   |   |
| 7      |   |   |
| 8      | UNITED STATES DISTRICT COURT  |   |
| 9      | FOR THE NORTHERN DISTRICT OF CALIFORNIA   |   |
| 10     | SAN JOSE DIVISION – ECF PROGRAM   |   |
| 11     |   |   |
| 12     |   |   |
| 13     | MICHAEL MALLOY; AMI MALLOY;<br>L.S. MALLOY, a minor by and through  | Case No. 5:16-cv-05135 EJD                          |
| 14     | his proposed guardian ad litem AMI  |   |
| 15     | MALLOY; E.S. MALLOY, a minor by<br>and through his proposed guardian ad   | PLAINTIFFS' REQUEST FOR<br>DISMISSAL WITH PREJUDICE |
| 16     | litem AMI MALLOY,   | OF ALL DEFENDANTS;                                  |
| 17     |   | [PROPOSED] ORDER                                    |
| 18     | Plaintiffs,   |   |
| 19     | v.  |   |
| 20     | COUNTY OF SANTA CRUZ, CITY OF   |   |
| 21     | SCOTTS VALLEY, OFFICER<br>MICHAEL BIRLY; CAROLYN<br>STRACE: WENDELL STAMPS:   |   |
| 22     | YOONI POMPER; ERIN BURTON;  |   |
| 23     | GLASS; JUDY YOKEL; CECILIA  |   |
| 24     | ESPINÓZA; BEATRICÉ MONJAREZ;<br>AND 20 UNKNOWN<br>AGENTS/EMPLOYEES OF THE   |   |
| 25     | COUNTY OF SANTA CRUZ AND THE<br>CITY OF SCOTTS VALLEY,  |   |
| 26     |   |   |
| 27     | Defendants.   |   |
| 20     |   |   |

Malloy, et al. vs. County of Santa Cruz, et al., PLAINTIFFS' REQUEST FOR DISMISSAL WITH PREJUDICE Case No. 5:16-05135 EJD

| 1        | Having reached an amicable settlement on all issues of the complaint,               |  |
|----------|---|--|
| 2        | and upon the court's approval of the minors' compromise, Plaintiffs, by and through |  |
| 3        | their attorney of record, hereby request that the court order the dismissal with    |  |
| 4        |   |  |
| 5        | prejudice of all defendants in this action.   |  |
| 6        | Respectfully submitted,   |  |
| 7        |   |  |
| 8        |   |  |
| 9        | Dated: October 20, 2017   |  |
| 10       |   |  |
| 11       |   |  |
| 12       | <u>/s/ Kathleen E. Wells</u><br>KATHLEEN E. WELLS                                   |  |
| 13       | Attorney for Plaintiffs   |  |
| 14       |   |  |
| 15       |   |  |
| 16       |   |  |
| 17       | [PROPOSED] ORDER  |  |
| 18       | GOOD CAUSE APPEARING THEREFOR   |  |
| 19       | The court hereby grants plaintiffs' request of dismissal with prejudice             |  |
| 20       |   |  |
| 21<br>22 | of all defendants in this action.   |  |
| 22       |   |  |
| 23<br>24 | Dated: October 20, 2017   |  |
| 25       | $\sim \sim \sim$  |  |
| 26       | Folloh  |  |
| 27       | U.S. DISTRICT COURT JUDGE EDWARD J. DAVILA  |  |
| 20       |   |  |
|          | Malloy, et al. vs. County of Santa Cruz, et al.,<br>Case No. 5:16-05135 EJD<br>-2-  |  |