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6 Attorneys for Plaintiffs

7
8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
10 **SOUTHERN DIVISION**

11 DOROTHY McKAY, DIANA
KILGORE, PHILLIP WILLMS, FRED
12 KOGEN, DAVID WEISS, and THE
CRPA FOUNDATION,

13 Plaintiffs,

14 vs.

15 SHERIFF SANDRA HUTCHENS,
16 individually and in her official capacity
as Sheriff of Orange County, California,
17 ORANGE COUNTY SHERIFF-
CORONER DEPARTMENT,
18 COUNTY OF ORANGE,
CALIFORNIA, and DOES 1-10,

19 Defendants.

CASE NO.: SACV 12-1458JVS (JPRx)

**STIPULATION OF PARTIES
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 41 FOR
DISMISSAL OF DEFENDANT
COUNTY OF ORANGE WITHOUT
PREJUDICE**

20 **STIPULATION**

21 This Stipulation ("Stipulation") is entered into by and among Plaintiffs
22 DOROTHY McKAY, DIANA KILGORE, PHILLIP WILLMS, FRED KOGEN,
23 DAVID WEISS, and THE CRPA FOUNDATION (collectively and individually,
24 "Plaintiffs"), the Defendants named herein as SHERIFF SANDRA HUTCHENS and
25 the ORANGE COUNTY SHERIFF-CORONER DEPARTMENT (collectively and
26 individually, "Sheriff"), and Defendant COUNTY OF ORANGE, CALIFORNIA (the
27 "County"), by and through their respective attorneys of record, pursuant to the Federal
28 Rules of Civil Procedure, Rule 41(a)(1)(A)(ii), as follows:
SACV 12-1458JVS (JPRx)

- 1 1. The material allegations of Plaintiffs' charging pleadings in the above-
2 entitled action and the relief being sought by Plaintiffs herein pertain to
3 statutory law of the State of California and to a policy of the Orange
4 County Sheriff, which were neither enacted nor adopted by, nor subject
5 to enforcement authority on the part of, Defendant County's Board of
6 Supervisors.
- 7 2. All parties believe that the County is not a necessary or proper party
8 defendant in this action.
- 9 3. The County is hereby dismissed, without prejudice, from this action in
10 its entirety, which dismissal shall not prejudice any claims, allegations,
11 or relief being pursued by Plaintiffs as to any other defendants apart
12 from the County.
- 13 4. Plaintiffs and County shall bear their own attorney's fees and costs in
14 this matter vis-à-vis each other, without prejudice to the remaining
15 parties' rights to claim such recoveries against each other, if
16 appropriate.

17 [Continuing text and signatures on following page]

- 1 5. This Stipulation may be signed in counterparts, which when taken
2 together shall constitute one original, and such counterpart signature
3 pages may be exchanged and compiled using facsimile and/or .pdf file
4 versions, which shall be deemed to be original signatures.

5 DATED: October 24, 2012

MICHEL & ASSOCIATES, PC

6
7 By 

8 Sean A. Brady

9 Attorneys for Plaintiffs
10

11 DATED: October 24, 2012

NICHOLAS S. CHRISOS, COUNTY COUNSEL
and Jeffrey M Richard, Senior Assistant

12
13 By 

14 Jeffrey M. Richard, Senior Assistant

15 Attorneys for Defendant COUNTY OF ORANGE
16
17

18 DATED: October 24, 2012

NICHOLAS S. CHRISOS, COUNTY COUNSEL
and Marianne Van Riper, Supervising Deputy

19
20 By 

21 Marianne Van Riper, Supervising Deputy

22 Attorneys for Defendants SHERIFF SANDRA
23 HUTCHENS and the ORANGE COUNTY
24 SHERIFF-CORONER DEPARTMENT
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

DOROTHY McKAY, DIANA
KILGORE, PHILLIP WILLMS,
FRED KOGEN, DAVID WEISS, and
THE CRPA FOUNDATION,

Plaintiffs,

v.

SHERIFF SANDRA HUTCHENS,
individually and in her official
capacity as Sheriff of Orange County,
California, ORANGE COUNTY
SHERIFF-CORONER
DEPARTMENT, COUNTY OF
ORANGE, CALIFORNIA, and
DOES 1-10,

Defendants.

CASE NO.: SACV 12-1458JVS (JPRx)

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 E. Ocean Blvd., Suite 200, Long Beach, California, 90802.

I am not a party to the above-entitled action. I have caused service of

**STIPULATION OF PARTIES PURSUANT TO FEDERAL RULE OF CIVIL
PROCEDURE 41 FOR DISMISSAL OF DEFENDANT COUNTY OF
ORANGE WITHOUT PREJUDICE**

on the following party by electronically filing the foregoing with the Clerk of the U. S. D.C. using its CM/ECF System, which electronically notifies them.

Nicholas S. Chrisom, County Counsel
Nicole M. Walsh, Deputy
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Santa Ana, CA 92702-137

Jeffrey M. Richard
Senior Assistant County Counsel
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P.O. Box 1379
Santa Ana, CA 92702-1379

I declare under penalty of perjury that the foregoing is true and correct.
Executed on October 24, 2012.

/s/ C. D. Michel

C. D. Michel
Attorneys for Plaintiffs