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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RITA ACOSTA, BESSIE TAYLOR, VAN
GRESHAM, CHERIE HERNANDEZ,
JOHN LERMA, JOSEPH BLAINS, AND
WILLIAM SILAS,

Plaintiffs,

vs.

CITY OF SALINAS,

Defendant.

Case No. 15-CV-05415-NC

~~PROPOSED~~ JUDGMENT
DISMISSING ACTION WITH
PREJUDICE

Judge: Hon. Nathanael M. Cousins

Pursuant to Federal Rule of Civil Procedure 41 (a) (2) Plaintiffs' and Defendant's counsel have filed a stipulation to dismissal of this action with prejudice in the form and substance reflected in this judgment. The parties' stipulation recites the essential chronology and legal determinations made in this case.

IT IS HEREBY ADJUDGED AND DECREED as follows:

1. The parties' recitals in their filed stipulation are incorporated herein by this reference.

2. Judgment shall be entered forthwith in this matter dismissing each plaintiff's complaint against each defendant herein, with prejudice. It shall bind only the named plaintiffs in this action in the manner set forth in this judgment.

3. Such dismissal with prejudice shall be res judicata.

4. Such dismissal with prejudice shall constitute a merger of each named plaintiff's stated claims as well as of any unstated claims which that plaintiff may have asserted in this action. Such stated and unstated claims merged and barred as to each named plaintiff include that: a) the City's Ordinance, 2564 and Resolution 20844 and Ordinance 2567 and Resolution 20908 are facially invalid,; and b) that the City in its application of these ordinances and policies prior to the date of execution of this dismissal, or in acts or omissions prior to their enactment have acted unlawfully towards named plaintiffs or caused them damages.

5. Such dismissal shall also constitute a bar, with respect to each named plaintiff, without any limitation, to the reassertion of any stated or merged claim as further described in paragraph 4 above.

6. The parties shall bear their own fees and costs of suit.

IT IS SO ORDERED.

DATED: May 9, 2016

Hon. Nathanael M. Cousins

