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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

PRISON LEGAL NEWS, a project of the  
HUMAN RIGHTS DEFENSE CENTER,

Plaintiff,

v.

PAUL BABEU, individually and in his official  
capacity as Sheriff of Pinal County, Arizona;  
PINAL COUNTY, ARIZONA; Sergeant  
TONYA DELGADO, in her individual and  
official capacities; Detention Aide ALYSSA  
ROMERO, in her individual capacity; Detention  
Aide LAURENDA HENSLEY-SALISBERRY,  
in her individual capacity; Detention Aide  
CHERYL MCBIRNIE, in her individual  
capacity; Detention Aide JOHN JOHNSTON, in  
his individual capacity; Detention Aide  
LAUREN MCVICKER, in her individual  
capacity; LORETTA VALDEZ, in her  
individual capacity; DALTON GAY, in his  
individual capacity; ERICA CHAVEZ, in her  
individual capacity; DENA KELLY, in her  
individual capacity; Sergeant AMADO  
MARTINEZ, in his individual and official  
capacities; Sergeant LEONARD ARNOLD, in  
his individual and official capacities; Training  
Specialist DAVID LINDERHOLM, in his  
individual and official capacities; Lieutenant  
FRANCES HAWKINS, in her individual and  
official capacities; Lieutenant DENNIS  
RUSHING, in his individual and official  
capacities; Lieutenant MATTHEW HULL, in  
his individual and official capacities; Lieutenant  
DARREN RUSHING, in his individual and  
official capacities; Lieutenant VERNITA  
GANT, in her individual and official capacities;  
Lieutenant MICHELE MCNEELY, in her

No. CV-11-01761-PHX-DJH

**ORDER**

1 individual and official capacities; Lieutenant  
2 GILBERT HOYOS, in his individual and  
3 official capacities; Captain TERRY JOHNSON,  
4 in his individual and official capacities; Captain  
5 JAYME VALENZUELA, in his individual and  
6 official capacities; Captain RUBEN  
7 MONTAÑO, in his individual and official  
8 capacities; and Deputy Chief JAMES KIMBLE,  
9 in his individual and official capacities,

10  
11 Defendants.

12 The Court has reviewed the parties' Amended Stipulation (Doc. 200) seeking  
13 entry of a nominal damages judgment and extension of time for any filing for awards of  
14 taxable costs and/or attorneys' fees. Good cause appearing, the Court grants the parties'  
15 Amended Stipulation.

16 Accordingly,

17 **IT IS HEREBY ORDERED** that:

18 1. The trial date in this matter is vacated and the case shall be closed. The  
19 Court, however, will retain jurisdiction over this matter until the parties' claims for  
20 attorneys' fees and costs are resolved.

21 2. Defendants Terry Johnson, Jayme Valenzuela, David Linderholm, Ruben  
22 Montano, Loretta Valdez, Dalton Gay, Erica Chavez, Dena Kelly, Amado Martinez,  
23 Frances Hawkins, Matthew Hull, Dennis Rushing, Vernita Gant, Michele McNeely, John  
24 Johnston, Lauren McVicker, Gilbert Hoyos and Leonard Arnold are hereby **dismissed**  
25 **with prejudice**.

26 3. The time for filing requests for taxable costs and/or attorneys' fees and  
27 costs in this matter is extended to ninety (90) days after entry of judgment.

28 Dated this 23rd day of September, 2014.

  
Diane J. Humetewa  
United States District Judge