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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO DIVISION

THE ESTATE OF JOSEPH REAGAN, by and through Chelsea August, Successor-in-Interest to Decedent Joseph Reagan; CHELSEA AUGUST as an individual,

Plaintiffs,

v.

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION (CDCR), an agency of the State of California; ROBERT ST. ANDRE, Warden of High Desert State Prison; and DOES 1 to 20, individually, jointly, and severally,

Defendants.

Case No.: 2:25-cv-03429-JAM-CKD

STIPULATION AND ORDER FOR PARTIAL DISMISSAL WITHOUT PREJUDICE PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE, RULE 41(a)(1)(A)(ii)

Judge: The Hon. John A. Mendez
Complaint filed November 26, 2025

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STIPULATION FOR PARTIAL DISMISSAL WITHOUT PREJUDICE

Plaintiffs THE ESTATE OF JOSEPH REAGAN and CHELSEA AUGUST (collectively, "Plaintiffs") and Defendants CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION ("CDCR") and ROBERT ST. ANDRE (collectively, "Defendants"), by and through their respective counsel of record, hereby stipulate as follows:

WHEREAS, on November 26, 2025, Plaintiffs filed the original Complaint in this action;

WHEREAS, on or about April 10, 2026, Plaintiffs filed the First Amended Complaint (Dkt. No. 24) ("FAC") asserting nine causes of action against Defendants and DOES 1 through 20;

WHEREAS, on May 14, 2026, Defendants filed a Motion to Dismiss the First Amended Complaint (Dkt. No. 27);

WHEREAS, in the interest of narrowing the issues before the Court and conserving judicial and party resources, Plaintiffs have determined to voluntarily dismiss without prejudice (1) all claims against Defendant CDCR; (2) the Ninth Cause of Action for Prospective Injunctive and Declaratory Relief in its entirety; and (3) the Fourth Cause of Action for Violation of the Bane Act (Cal. Civ. Code, § 52.1) as asserted by Plaintiff CHELSEA AUGUST individually only;

WHEREAS, the Estate of Joseph Reagan's Fourth Cause of Action for Violation of the Bane Act against Defendant ROBERT ST. ANDRE and the DOE Defendants is not subject to this stipulation and shall remain pending;

WHEREAS, the parties agree that the dismissal of the above-identified claims and party shall be without prejudice;

WHEREAS, each party shall bear its own attorneys' fees and costs incurred with respect to the dismissed claims and party;

WHEREAS, the parties agree that the dismissal effectuated by this Stipulation moots the portions of Defendants' pending Motion to Dismiss (Dkt. No. 27) addressed to

(1) Defendant CDCR; (2) the Ninth Cause of Action; and, (3) Plaintiff Chelsea August's individual Bane Act claim, and that Defendants' Motion to Dismiss shall be deemed withdrawn as to those portions only, while the remaining portions of the Motion shall proceed on the briefing schedule set by the Court;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the parties, through their respective counsel of record, that:

1. Pursuant to Federal Rules of Civil Procedure, rule 41(a)(1)(A)(ii), all claims and causes of action against Defendant CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION are dismissed without prejudice;

2. Pursuant to Federal Rules of Civil Procedure, rule 41(a)(1)(A)(ii), the Ninth Cause of Action for Prospective Injunctive and Declaratory Relief is dismissed without prejudice in its entirety as to all Defendants;

3. Pursuant to Federal Rules of Civil Procedure, rule 41(a)(1)(A)(ii), the Fourth Cause of Action for Violation of the Bane Act, as asserted by Plaintiff CHELSEA AUGUST in her individual capacity only, is dismissed without prejudice. The Estate of Joseph Reagan's Fourth Cause of Action for Violation of the Bane Act against Defendant ROBERT ST. ANDRE and the DOE Defendants remains pending and is not affected by this Stipulation;

4. Each party shall bear its own attorneys' fees and costs with respect to the dismissed claims and party;

5. This action shall proceed against Defendant ROBERT ST. ANDRE and the DOE Defendants on Plaintiffs' First, Second, Third, Fourth (as limited above), Fifth, Sixth, Seventh, and Eighth Causes of Action, pending resolution of Defenants' motion to dismiss; and,

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6. The portions of Defendants' Motion to Dismiss (Dkt. No. 27) addressed to Defendant CDCR, the Ninth Cause of Action, and Plaintiff Chelsea August's individual Bane Act claim are deemed withdrawn. The remaining portions of the Motion shall proceed on the schedule set by the Court.

IT IS SO STIPULATED.

Dated: 05/22/2026

HARRISON | KRISTOPHER, LLP

/s/ Bryan J. Harrison
Bryan J. Harrison, Esq.,
Attorney for Plaintiffs

Dated: 05/22/2026

ROB BONTA
ATTORNEY GENERAL OF CALIFORNIA

/s/ John W. Faulconer
John W. Faulconer, Esq.,
Deputy Attorney General
Attorneys for Defendants

ORDER

Pursuant to the parties' Stipulation, and good cause appearing, IT IS HEREBY ORDERED that:

1. All claims and causes of action against Defendant CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION are **DISMISSED WITHOUT PREJUDICE**;

2. The Ninth Cause of Action for Prospective Injunctive and Declaratory Relief is **DISMISSED WITHOUT PREJUDICE** in its entirety as to all Defendants;

3. The Fourth Cause of Action for Violation of the Bane Act, as asserted by Plaintiff CHELSEA AUGUST in her individual capacity only, is **DISMISSED WITHOUT PREJUDICE**. The Estate of Joseph Reagan's Fourth Cause of Action for Violation of the Bane Act remains pending;

4. Each party shall bear its own attorneys' fees and costs with respect to the dismissed claims and party;

5. The portions of Defendants' Motion to Dismiss (Dkt. No. 27) addressed to Defendant CDCR, the Ninth Cause of Action, and Plaintiff Chelsea August's individual Bane Act claim are **DEEMED WITHDRAWN**; and,

6. The remaining portions of Defendants' Motion to Dismiss (Dkt. No. 27) shall proceed on the briefing schedule and hearing date previously set by this Court.

IT IS SO ORDERED.

Dated: May 28, 2026

JOHN A. MENDEZ,
SENIOR UNITED STATES DISTRICT JUDGE