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6 Attorneys for Defendants
COUNTY OF MADERA,
7 DEPUTY JEFFERY THOMAS,
SERGEANT PATRICK MAJESKI, and
8 SHERIFF JOHN ANDERSON

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 JEANINE SALCIDO, guardian ad litem for
12 J.S., a minor,

13 Plaintiff,

14 v.

15 THE COUNTY OF MADERA, DEPUTY
JEFFERY THOMAS #10321; SARGEANT
16 PATRICK MAJESKI #8484; SHERIFF
JOHN ANDERSON; AND DOES 1-10,
17 inclusive,

18 Defendants.

Case No. 1:10-cv-00195-AWI-DLB

**STIPULATION AND ORDER TO
AMEND PLAINTIFF'S COMPLAINT**

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{CF/00019960.}

1 Plaintiff J.S., by and through his guardian ad litem Jeanine Salcido, (“Plaintiff”) and
2 Defendants County of Madera, Jeffery Thomas, Patrick Majeski and Sheriff John Anderson
3 (collectively “Defendants”) stipulate as follows:

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5 RECITALS

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7 A. On February 15, 2012, Defendants sent Plaintiff a Request for Production of
8 Documents, and each Defendant sent Plaintiff Special Interrogatories. On March 23, Plaintiff
9 responded to all discovery requests. The parties engaged in meet and confer efforts over the
10 responses provided and on April 3 Plaintiff provided amended responses. The parties again
11 engaged in meet and confer efforts over the amended responses. A discovery dispute still exists
12 between the parties.

13 B. Rather than provided amended answers to the discovery requests at issue, Plaintiff
14 has agreed to amend his complaint to drop his Third and Fourth Causes of Action. Plaintiff
15 further warrants that all information has been provided in his amended answers to Defendants’
16 discovery requests at issue.

17 C. The current operative Complaint is Plaintiff’s Second Amended Complaint for
18 Damages. This is document 33 on the Court’s docket.
19 Therefore, the Plaintiff and Defendants stipulate as follows:

20 STIPULATION

21 1. Defendant County of Madera is dismissed from the above-captioned action with
22 prejudice.

23 2. Defendant Sheriff John Anderson is dismissed with prejudice from the above-
24 captioned action in both his individual and official capacity.

25 3. Paragraphs 5, 8, 9, 10, 14, 15, 24, 27, 32, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50,
26 and 51 are stricken from the operative Complaint. In addition, paragraphs A and B are stricken
27 from the operative Complaint. The Third Cause of Action is dismissed with prejudice in its
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{CF/00019960.}

1 entirety. The Fourth Cause of Action is dismissed with prejudice in its entirety. Therefore, the
2 only remaining causes of action are Plaintiff's First and Second Causes of Action.

3 4. The parties have further agreed that certain sentences and phrases from other
4 paragraphs must be stricken as well. Attached hereto as Exhibit A is a copy of a properly
5 redacted Complaint. All parties agree that Exhibit A to this Stipulation is the operative
6 Complaint from the date of signing of this stipulation and that all redacted portions have been
7 dismissed with prejudice.

8 5. All discovery responses provided to requests by either the County of Madera or
9 Sheriff John Anderson may be used by the remaining defendants in this action.

10 6. Plaintiff withdraws all discovery requests sent to the County of Madera and Sheriff
11 John Anderson.

12 7. This Stipulation may be signed in counterparts and facsimile or electronic
13 signatures shall be treated as original signatures.

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15 IT IS SO STIPULATED.

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17 Dated: April 30, 2012

COTA COLE LLP

18
19 By: /s/ Carolyn J. Frank

Dennis M. Cota
Carolyn J. Frank
Jonathan E. Miller
Attorneys for Defendants
COUNTY OF MADERA,
DEPUTY JEFFERY THOMAS,
SERGEANT PATRICK MAJESKI, and
SHERIFF JOHN ANDERSON

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Dated: April 30, 2012

By: /s/ Bruce W. Nickerson
K. Mark Mekhitarian
Bruce W. Nickerson
Attorneys for Plaintiff
J.S.

ORDER

IT IS SO ORDERED.

Dated: May 7, 2012


CHIEF UNITED STATES DISTRICT JUDGE