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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BRIAN REED, B.R., a minor, by her guardian ad litem, Roxanne Sayer,

Plaintiffs,

v.

CITY OF MODESTO, a municipal corporation, Chief of Police HARDEN, in his individual capacity; Police Officer RON ZIYA, Police Officer CAELI KOEHLER, in their individual and official capacities,

Defendants.

Case No. 1:11-cv-01083-AWI-GSA

ORDER DISMISSING ALL CLAIMS AGAINST HARDEN, AND KOEHLER, DISMISSING FEDERAL CLAIMS AGAINST THE CITY, AND ALLOWING NINE DEPOSITIONS TO PROCEED

Stipulation submitted herewith

Hon. Anthony W. Ishii

Having reviewed the parties' Stipulation to Dismiss All Claims Against the City, Harden, and Koehler and to Allow Nine Depositions to Proceed and finding good cause therefor, it is hereby ORDERED that:

1. All claims against Defendants CHIEF OF POLICE MICHAEL HARDEN and OFFICER CAELLI KOEHLER are hereby dismissed with prejudice.

2. The claims against Defendants CITY OF MODESTO that are brought pursuant to 42 U.S.C. § 1983 are hereby dismissed with prejudice.

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3. Each side is to bear their own costs and fees with respect to the dismissals identified in paragraphs 1-2.

4. Plaintiffs shall be permitted to depose Officer Caelli Koehler and Defendants' police practices expert Anthony Lukin.

5. Defendants shall be permitted to depose Plaintiffs' seven expert witnesses – Dr. Barchuk, Dr. Shaw, Dr. Morgenthaler, Dr. Miller, Dr. Robert Johnson, Carol Hyland, and Roger Clark – about all work performed on the case, all opinions that these experts intend to offer at trial, and all opinions contained in their reports.

IT IS SO ORDERED.

Dated: December 29, 2014



SENIOR DISTRICT JUDGE