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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

I.R., a minor, individually and as successor in interest to Raul Rosas and by and through her guardian ad litem, Claudia Nava; and H.R., a minor, individually and as successor in interest to Raul Rosas and by and through her Guardian Ad Litem, Nora Nava,) CASE NO. 1:12-CV-00558-AWI-GSA
Plaintiffs,) **STIPULATION AND ORDER
RE: MEET AND CONFER**
vs.)
CITY OF FRESNO, a municipality;)
OFFICER MIGUEL ALVAREZ (#1351), an individual; OFFICER SAMMY ASHWORTH (#1011), an individual; OFFICER TROY MILLER (#1197), an individual; COUNTY OF FRESNO, a municipality; DEPUTY CHRISTIAN LIGHTNER (#6453), an individual; DEPUTY MANUEL FLORES (#4060), an individual; and DOES 6-10, inclusive,) Complaint Filed: April 6, 2012
Defendants.) Trial Date: March 18, 2014

IT IS HEREBY STIPULATED between Plaintiffs H.R. and I.R. ("Plaintiffs") and Defendant County of Fresno ("Defendant County"), through their respective counsel, and ordered by this Court, that:

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1 1) Defendant County has priority in taking the depositions of Claudia Nava, Nora Nava,
2 H.R. and I.R. before any law enforcement depositions are taken by Plaintiffs.

3 2) On Tuesday, May 28, 2013, Plaintiffs shall produce Claudia Nava, Nora Nava, H.R.
4 and I.R. for a deposition at the law offices of Weakley & Arendt, LLP, 1630 E. Shaw Avenue, Suite
5 176, Fresno, CA 93710.

6 3) Plaintiffs shall supplement and produce the following verified interrogatories on
7 May 28, 2013 at the depositions of Claudia Nava and Nora Nava:

- 8 a) Interrogatory No. 3 (H.R. & I.R.);
- 9 b) Interrogatory No. 6 (I.R.);
- 10 c) Interrogatory No. 11 (Erroneously identified as No. 10 in Defendant County's
11 Interrogatories to H.R.) & Interrogatory No. 10 (I.R.). These interrogatories
12 will be supplemented only if Plaintiffs locate documents responsive to this
13 interrogatory. They shall also produce the responsive documents in
14 accordance with Request No. 1 at their depositions on May 28, 2013; and
- 15 d) Interrogatory No. 13 (Erroneously identified as No. 12 in Defendant
16 County's Interrogatories to H.R.) & Interrogatory No. 12 (I.R.).

17 4) Plaintiffs shall produce all documents responsive to the following requests on May
18 28, 2013 at their depositions, to the extent those documents have not already been produced:

- 19 a) Request No. 1 (H.R. & I.R.);
- 20 b) Request No. 5 (H.R. & I.R.);
- 21 c) Request No. 6 (H.R. & I.R.);
- 22 d) Request No. 10 (H.R. & I.R.); and
- 23 e) Request No. 11 (H.R.) & Request No. 12 (I.R.).

24 5) If Plaintiffs do not produce any photographs pursuant to paragraph 4, subsections (d)
25 and (e) at their May 28, 2013 depositions, they will be limited in motions and at trial to the eight
26 photographs which were produced by Plaintiffs on April 11, 2013. To the extent Eva Rosas and/or
27 Raul Rosas, Sr. produce photographs of the decedent at their depositions on May 29, 2013, all
28 parties may use those photographs subject to any evidentiary objections and/or motions in limine.

1 6) The medical records identified in Plaintiffs Rule 26 Initial Disclosures are limited to
2 the medical records for the decedent Raul Ivan Rosas, Jr. from the date of the incident to the date of
3 death.

4 7) On Wednesday, May 29, 2013, Defendant County shall take the depositions of Eva
5 Rosas and Raul Rosas, Sr. at the law offices of Weakley & Arendt, LLP, 1630 E. Shaw Avenue,
6 Suite 176, Fresno, CA 93710.

7 8) On Thursday, May 30, 2013, Plaintiffs shall produce Claudia Nava and Nora Nava
8 for a supplemental deposition at the law offices of Weakley & Arendt, LLP, 1630 E. Shaw Avenue,
9 Suite 176, Fresno, CA 93710.

10 9) Defendant County may schedule a supplemental deposition for Claudia Nava solely
11 for the purpose of addressing the substance of the Confidential Birth Certificates for H.R. and I.R.,
12 if such records are not received by Defendant County from the California Department of Public
13 Health Vital Records in time for Claudia Nava's May 28, 2013 or May 30, 2013 depositions.

14 || Dated: April 30, 2013

WEAKLEY & ARENDT, LLP

16 By: /s/ Brande L. Gustafson
17 James D. Weakley
Brande L. Gustafson

18 Dated: April 30, 2013 THE CLAYPOOL LAW FIRM

/s/ Brian E. Claypool
Brian E. Claypool
Attorneys for Plaintiffs

ORDER

The Court adopts the parties' stipulation outlined above. The parties shall continue to work together to complete the discovery in this case.

IT IS SO ORDERED.

Dated: May 14, 2013

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE