

1 Leonard C. Herr, #081896  
 2 Caren L. Curtiss, Certified Law Student  
 3 HERR PEDERSEN & BERGLUND LLP  
 4 100 Willow Plaza, Suite 300  
 5 Visalia, California 93291  
 6 Telephone: (559) 636-0200

7 Attorneys for Defendants CITY OF VISALIA and TIM HAENER

8 **UNITED STATES DISTRICT COURT**  
 9 **EASTERN DISTRICT OF CALIFORNIA**

10  
 11 E.S., a minor, by and through her  
 12 Guardian ad Litem, VALINE  
 13 GONZALEZ, J.F., a minor, by and  
 14 through his Guardian ad Litem,  
 15 BRIDGET FLORES; in each case  
 16 individually and as successor in interest  
 17 to ARMANDO SANTIBANEZ, deceased;  
 18 and MARIA MORENO, individually,  
 19  
 20 Plaintiffs,  
 21  
 22 v.  
 23 CITY OF VISALIA, TIM HAENER and  
 24 DOES 2-10, inclusive.  
 25  
 26 Defendants.

CASE NO.: 1:13-cv-01697-LJO-BAM

**FURTHER STIPULATION RE *IN***  
***CAMERA* REVIEW OF PEACE**  
**OFFICER'S PERSONNEL FILE**

27 **I.**

28 **RECITALS**

WHEREAS, on December 29, 2014, the parties entered into a stipulation regarding an *in camera* review of Defendant TIM HAENER's personnel file which was approved by the Court on January 6, 2015. [Doc. 52]

WHEREAS, following the stipulation of the parties the Court expressed concerns regarding the process proposed to be followed in order to carry out the *in camera* inspection.

1 WHEREAS, both Plaintiffs and Defendants are very familiar with the  
2 *Pitchess* process utilized in State court actions;

3 WHEREAS, due to the desire to expedite this process, the parties do hereby  
4 further stipulate as follows:

5 **II.**

6 **STIPULATION**

7 **IT IS HEREBY STIPULATED, BY AND BETWEEN THE PARTIES**  
8 **HERETO, THROUGH THEIR RESPECTIVE ATTORNEYS OF RECORD, AS**  
9 **FOLLOWS:**

10 1. During the *in camera* inspection, Leonard C. Herr, counsel for  
11 Defendants, may be present and answer any questions of an administrative  
12 matter that the Court may have regarding Defendant TIM HAENER's personnel  
13 file, but no substantive information about the case will be discussed with the  
14 Court outside the presence of Plaintiffs' counsel.

15 DATED: January 12, 2015 LAW OFFICES OF DALE K. GALIPO  
16 LAW OFFICES OF NIKOLAUS W. REED  
17 QUIRK LAW GROUP

18 By:  /s/ Dale K. Galipo  
19 DALE K. GALIPO  
20 NIKOLAUS W. REED  
21 LOGAN QUIRK  
22 Attorneys for Plaintiffs

23 DATED: January 12, 2015 HERR PEDERSEN & BERGLUND LLP

24 By:  /s/ Leonard C. Herr  
25 LEONARD C. HERR,  
26 Attorney for Defendants

27 F:\Client Files\Visalia, City of, 700\705-00 POLICE DEPARTMENT\705-02 Investigations\705-02-030 Santibanez v\Stipulations\Further Stipulation re In  
28 Camera Review of Peace Officer's Personnel File.doc

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**III.**

**ORDER**

Upon a review of the agreement of the parties, the Court adopts the stipulation. The Court will independently review the files in camera, and contact defense counsel if any administrative questions arise when reviewing the file.

IT IS SO ORDERED.

Dated: January 15, 2015

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE