1 2 3	AMBER LUNSFORD ( CSB No. 276908) <b>LUNSFORD LEGAL GROUP, P.C.</b> 1202 H Street, Suite A Modesto, CA 95354 Telephone: (209) 857-8608	
5	LOREN LUNSFORD (CSB No. 213966) THE LUNSFORD LAW FIRM 980 Ninth Street, 16th Floor Sacramento, CA 95814	
6 7 8	Telephone: (916) 575-8846  Attorneys for Plaintiffs Armando Osegueda, Robert Palomino, David Lomeli, and Jairo Hernandez	
9 10 11 12	UNITED STATES DEFOR THE EASTERN DIST	
13 14 15 16	ARMANDO OSEGUEDA; ROBERT PALOMINO, DABID LOMELI, JAIRO HERNANDEZ	) Case No. 1:16-cv-01218-LJO-BAM ) ) ) STIPULATION AND ORDER TO
17 18	Plaintiffs, v.	<ul><li>) STRIKE CLASS ALLEGATIONS</li><li>)</li></ul>
19 20 21 22 23 24 25	STANISLAUS COUNTY PUBLIC SAFETY CENTER, STANISLAUS COUNTY SHERIFF'S OFFICE, ADAM CHRISTIANSON, Stanislaus County Sheriff, BILL DUNCAN, Captain of Adult Detention, LIEUTENANT GREG CLIFTON, Unit 1 and Unit 2 Commander, LIEUTENANT RONALD LLOYD, Commander of Bureau Administrative	
26 27 28 Lunsford Legal Group	Services, SERGEANT STEVEN VERVER, and JAMES SHELTON Defendants.	) ) _)

## STIPULATION

Plaintiffs Armondo Osegueda, Robert Palomino, David Lomeli, and Jairo
Hernandez, by and through their counsel of record, Amber H. Lunsford, Esq. and
defendants Stanislaus County Public Safety Center, Stanislaus County Sheriff's Office
Sheriff Adam Christianson, Capt. Bill Duncan, Lt. Greg Clifton, Lt. Ronaldo Lloyd, Sgt
Steven Verver, and Sgt. James Shelton, by and through their counsel of record, Jonathan
B. Paul, Esq., hereby submit this stipulation to strike, all class action allegations set forth
in the Second Amended Complaint. (Doc. No. 22.)

Striking of the class action allegations is proper under Federal Rules of Civil Procedure, Rule 12(f) because no motion for class certification has been or will be filed, and no substantive issues have been litigated or determined. See Manning v. Boston Med. Ctr. Corp. 725 F.3d 34, 59 (1st Cir. 2013) "If it is obvious from the pleadings that the proceeding cannot possibly move forward on a classwide basis, district courts use their authority under Federal Rule of Civil Procedure 12(f) to delete the complaint's class allegations." This matter should proceed solely upon the claims of the four individual Plaintiffs Armando Osegueda, Robert Palomino, David Lomeli, and Jairo Hernandez as outlined in the District Court's order of April 11, 2017.

IT IS SO STIPULATED.

Respectfully submitted, DATED: February 2, 2018

20

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

LUNSFORD LEGAL GROUP 21

22

/s/ Amber H. Lunsford 23 AMBER H. LUNSFORD

26

Attorneys for Plaintiffs Armando Osegueda,

24 Robert Palomino, David Lomeli, and Jairo Hernandez 25

27

28 Lunsford Legal Group

1	Date: February 2, 2018	RIVERA & ASSOCIATES	
2		/s/ Jonathan B. Paul (as authorized on 2/2/18)	
3			
4		Jonathan B. Paul	
5		Attorneys for Defendants Stanislaus County Public Safety Center, Stanislaus County Sheriff's	
6		Office, Sheriff Adam Christianson, Capt. Bill	
7		Duncan, Lt. Greg Clifton, Lt. Ronaldo Lloyd, Sgt. Steven Verver, and Sgt. James Shelton	
8		•	
9			
10		ORDER	
11	Pursuant to the stipulation of the parties, all class allegations set forth in the Second		
12	Amended Complaint (Doc. 22) are hereby stricken from the operative complaint and this matter shall proceed solely upon the claims of the four individual Plaintiffs Armando Osegueda, Robert Palomino, David Lomeli, and Jairo Hernandez as set forth in the Court's Order of April 11, 2017.		
13			
14			
15			
16	IT IS SO ORDERED.		
17	Dated: <b>April 17, 2018</b>	1s/Barbara A. McAuliffe	
18		UNITED STATES MAGISTRATE JUDGE	
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			

Lunsford Legal Group