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

ABELARDO PASILLAS, et al.,

Plaintiffs,

v.

STATE OF CALIFORNIA, et al.,

Defendants.

1:17-cv-00712-DAD-EPG
**STIPULATION RE: FIRST AMENDED
COMPLAINT; ORDER**

Judge: The Honorable
Erica P. Grosjean
Trial Date: Not Set
Action Filed: May 22, 2017

Plaintiffs Valdez and Pasillas, and Defendants B. Boone, C. Bucaro, S. Vasquez, L. Brady and J. Milburn, through their respective counsel, stipulate as follows:

1. Counsel for the above parties have met and conferred concerning the allegations asserted in the First Amended Complaint (FAC) filed in the above matter in order to avoid the filing of a Motion to Dismiss and/or Motion to Strike the FAC;

2. It is stipulated and agreed that the allegations of excessive force in violation of the Eighth Amendment do not apply to medical personnel named in the FAC, including C. Bucaro, L. Brady and J. Milburn;

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3. It is further stipulated and agreed that Plaintiffs are not asserting a municipal liability under *Monell v. Department of Social Services*, 436 U.S. 658 (1978) against individual Defendants named in this action; and

4. It is further stipulated and agreed that the allegations concerning a lack of psychiatric care necessary to prevent a death from hanging (FAC, ECF No. 22 at 7:23-24) are stricken.

Dated: December 4, 2017

Respectfully submitted,
THE SEHAT LAW FIRM

/s/ Cameron Sehat

CAMERON SEHAT
Attorneys for Plaintiffs

XAVIER BECERRA
Attorney General of California
CHRISTOPHER J. BECKER
Supervising Deputy Attorney General

/s/ R. Lawrence Bragg

R. LAWRENCE BRAGG
Acting Supervising Deputy Attorney General
Attorneys for Defendants
B. Boone, C. Bucaro, S. Vasquez, L. Brady
and J. Milburn

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ORDER

In light of the above stipulation of the parties, and pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), it is so ordered.

IT IS SO ORDERED.

Dated: December 5, 2017

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE