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12 MAURICE SCOTT,  
13 Plaintiff  
14 v.  
15  
16 MTA KELLER,  
17 Defendant

Case No. 2:07-CV-00184 KJD PAL (PC)

**STIPULATION AND ORDER TO AMEND  
THE PRETRIAL ORDER TO CORRECT A  
MISIDENTIFIED DEFENSE WITNESS**

Judge: The Hon. Kent J. Dawson  
Trial Date: December 14, 2015  
Action Filed: June 17, 2007

## INTRODUCTION

20 This case is set for trial on December 14-17, 2015, in Sacramento. (ECF No. 164.)  
21 Defense counsel discovered that, in the Joint-Pretrial Order, Officer Campbell was misidentified  
22 as a defense witness and misnamed in the statement of the parties' admitted facts. (ECF No. 164  
23 at 7:1-2, 12:15.) Defendants intended to name Officer Cunningham as a witness and in the  
24 statement of facts. The parties stipulate that the Court may issue an order amending the Joint-  
25 Pretrial Order to name the correct individual.

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28    // /

## STIPULATION

2 The parties, having met and conferred, hereby stipulate that the Court may amend the Joint-  
3 Pretrial Order to list Officer Cunningham as a defense witness in place of Officer Campbell.  
4 (ECF No. 164 at 12:15.) The parties further stipulate that Officer Cunningham replaces Officer  
5 Campbell in the parties' list of admitted facts. (*Id.* at 7:1-2.)

6 SO STIPULATED.

Dated: 11/09/15

Mr. Maurice R. Scott  
Maurice Scott (J-43336) Plaintiff 743336

Dated: November 6, 2015

/s/ Martha P. Ehlenbach  
Martha P. Ehlenbach  
Deputy Attorney General  
Attorney for Defendants Moser and Wagner

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## ORDER

2       Based on the parties' stipulation and good cause appearing, the Joint-Pretrial Order is  
3 amended to identify Officer Cunningham as a defense witness in place of Officer Campbell.  
4 (ECF No. 164 at 12:15.) And, the parties' list of admitted facts in the order is amended to name  
5 Officer Cunningham in place of Officer Campbell on page 7, lines one and two.

IT IS SO ORDERED.

8 || DATED: 11/10/2015



Hon. Kent J. Dawson  
United States District Judge