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10 Attorneys for Plaintiffs

11 IN THE UNITED STATES DISTRICT COURT

12 FOR THE EASTERN DISTRICT OF CALIFORNIA

13  
 14 JOHN PRUITT; JOHN PRUITT, JR., a minor, by  
 and through his Guardian Ad Litem, his custodial  
 15 parent John Pruitt; PHILLIP PRUITT, a minor, by  
 and through his Guardian Ad Litem, his custodial  
 16 parent John Pruitt; MICHAEL PRUITT, a minor, by  
 and through his Guardian Ad Litem, his custodial  
 17 parent John Pruitt; ISAIAH PRUITT, a minor, by and  
 through his Guardian Ad Litem, his custodial parent  
 18 John Pruitt; DARRYL BERG; and DEBRA BERG,

19 Plaintiffs,

20 v.

21  
 22 COUNTY OF SACRAMENTO; Sacramento County  
 Sheriff’s Department Sheriff JOHN MCGINNESS;  
 23 Sergeant SANTOS RAMOS; Detective SEAN  
 BERRY; Detective BRAD ROSE; Detective  
 24 RANDY MOYA; Detective JACQUELINE KLOSS;  
 25 Detective KEVIN STEED; Detective STEVE  
 WHARTON; Probation Officer TIMOTHY RUIZ;  
 26 Deputy THOMAS LYNN; Deputy CRAIG  
 HARMON; and DOES 1-100, inclusive,

27 Defendants.  
28

Case No. 10-CV-00416-WBS-KJN

**PETITION AND [PROPOSED]  
ORDER FOR APPOINTMENT OF  
GUARDIAN AD LITEM**

1 Petitioner, Phillip Pruitt, states as follows:

2 1. I am a minor of the age of 15 years.

3 2. I have filed an action in the Court against defendants COUNTY OF  
4 SACRAMENTO; Sacramento County Sheriff's Department Sheriff JOHN McGINNESS;  
5 Sergeant SANTOS RAMOS; Detective SEAN BERRY; Detective BRAD ROSE; Detective  
6 RANDY MOYA; Detective JACQUELINE KLOSS; Detective KEVIN STEED; Detective  
7 STEVE WHARTON; Probation Officer TIMOTHY RUIZ; Deputy THOMAS LYNN; Deputy  
8 CRAIG HARMON; and DOES 1-100, for defendants' and each of their involvement in the  
9 deprivation of my liberty interest in the continued companionship and society of my father as  
10 guaranteed by the Fourteenth Amendment to the Constitution of the United States.

11 3. I have no general guardian and no previous petition for appointment of a guardian  
12 ad litem has been filed in this matter.

13 4. John Pruitt, my natural father, whose address is 7405 Greenback Lane #312, Citrus  
14 Heights, CA 95610, is a competent and responsible person, and fully competent to act as my  
15 guardian ad litem.

16 5. John Pruitt is willing to act as guardian ad litem for petitioner, as appears by his  
17 consent attached hereto.

18 WHEREFORE, petitioner moves this Court for an order appointing JOHN PRUITT as  
19 guardian ad litem of petitioner for the purpose of bringing this action against defendants  
20 COUNTY OF SACRAMENTO; Sacramento County Sheriff's Department Sheriff JOHN  
21 McGINNESS; Sergeant SANTOS RAMOS; Detective SEAN BERRY; Detective BRAD ROSE;  
22 Detective RANDY MOYA; Detective JACQUELINE KLOSS; Detective KEVIN STEED;  
23 Detective STEVE WHARTON; Probation Officer TIMOTHY RUIZ; Deputy THOMAS LYNN;  
24 Deputy CRAIG HARMON; and DOES 1-100, on the claim hereinabove stated.

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1 I, Phillip Pruitt, verify that I have read the foregoing petition and know the contents  
2 thereof, and state that the statements therein are true and correct of my own personal knowledge.  
3 This declaration was made this 15th day of May, 2010, at Loomis, California.

4  
5 /s/ Phillip Pruitt  
6 PHILLIP PRUITT

7 **CONSENT OF NOMINEE**

8 I, John Pruitt, the nominee of the Petitioner, consent to act as guardian ad litem for the  
9 minor petitioner in the above action.

10  
11 Dated: May 15, 2010

/s/ John Pruitt  
JOHN PRUITT

12  
13  
14 Dated: May 26, 2010

Respectfully submitted,  
ROSEN, BIEN & GALVAN, LLP


15  
16  
17 By: /s/ Ernest Galvan  
Ernest Galvan  
18 Attorneys for Plaintiffs  
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20 **ORDER**

21 The petition for an order appointing John Pruitt as guardian ad litem for petitioner Phillip  
22 Pruitt is GRANTED

23 IT IS SO ORDERED.

24 Dated: August 23, 2011

25   
26 WILLIAM B. SHUBB  
27 UNITED STATES DISTRICT JUDGE  
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