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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARKUS M. HALL, MONIQUE G.
RANKIN, LINDSEY K. SANDERS,

Plaintiffs,

v.

CITY OF FAIRFIELD, OFFICER NICK
McDOWELL, OFFICER CHRIS GRIMM,
OFFICERS TOM SHACKFORD,
OFFICER ZACK SANDOVAL, AND
SERGEANT STEVE CRANE,

Defendants.

No. 2:10-cv-0508 DB

ORDER

This matter came before the court on March 27, 2015, for hearing of the parties' joint motion to vacate judgment pursuant to Federal Rule of Civil Procedure 60(b)(6).¹ (ECF No. 256.) Attorney Thiele Dunaway appeared at the hearing on behalf of the plaintiffs and attorney Suzanne Nicholson appeared on behalf of the defendants. The parties' motion was conditionally granted subject to the granting of plaintiffs' petitions for determinations of factual innocence by the Solano County Superior Court.²

¹ The parties have previously consented to Magistrate Judge jurisdiction over this action pursuant to 28 U.S.C. § 636(c). (ECF No. 175.)

² This matter was reassigned from the previously assigned Magistrate Judge to the undersigned on January 9, 2017. (ECF No. 257.)

1 On January 10, 2017, plaintiffs filed a “NOTICE RE OCCURRENCE OF CONDITION
2 TO VACATING JUDGMENT.” (ECF No. 258.) Therein, plaintiffs state that they “have no
3 objection to having the judgment vacated in accordance with this Court’s March 30, 2015 order,”
4 provided that counsel for defendants “confirms in writing that all appropriate law enforcement
5 agencies” have received notice of plaintiffs’ findings of factual innocence and that “all of those
6 agencies have sealed and have destroyed or will destroy” plaintiffs’ respective arrest records.
7 (Id. at 2.)

8 On February 3, 2017, counsel for defendants filed a response stating that defense counsel
9 has provided plaintiffs’ counsel “assurances from the Fairfield police department that plaintiffs’
10 names have been removed from the department’s database with respect to this case, and their
11 names redacted from the physical case report.” (ECF No. 259 at 2.) Moreover, plaintiffs’
12 counsel “confirmed . . . that she is satisfied . . . and . . . has no objection to the Court vacating
13 the judgment against the City and Officer McDowell.” (Id.)

14 Accordingly, in light of the court’s prior order and the parties’ representations, IT IS
15 HEREBY ORDERED that the judgment in this action is vacated pursuant to Rule 60(b)(6) of the
16 Federal Rules of Civil Procedure.

17 Dated: March 30, 2017

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21 DEBORAH BARNES
22 UNITED STATES MAGISTRATE JUDGE

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