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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10 SACRAMENTO DIVISION
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12 BRYAN DENMAN,

13 Plaintiff,

14 vs.

15 CITY AND TRACY, *et al.*,

16 Defendants.
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CASE NO.: 2:11-CV-00310-GEB-JFM

**STIPULATION AND ORDER TO LIFT
STAY GIVEN RESOLUTION OF
CRIMINAL CHARGES**

18 The undersigned parties, through counsel, STIPULATE and AGREE and jointly request that:

- 19 1. The stay of the instant action be lifted given that the criminal charges for resisting arrest against
20 Plaintiff Bryan Denman have been resolved. The district attorney dismissed the criminal
21 charges based on insufficient evidence. The instant action is one for excessive force against the
22 City of Tracy and individual police officers under 42 U.S.C. § 1983.

23 IT IS SO STIPULATED:

24 Dated: December 18, 2012

By: /s/ Michael Bracamontes
Michael R. Bracamontes, Esq.
Attorney for Plaintiff Bryan Denman
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1 Dated: December 18, 2012

By: /s/ Richard Osman
Richard W. Osman, Esq.
Attorney for Defendants

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5 PURSUANT TO STIPULATION, IT IS SO ORDERED that:

- 6 1. The stay of the instant action is hereby lifted, effective immediately, given that the criminal
7 charges for resisting arrest against Plaintiff Bryan Denman have been resolved. A further Case
8 Management Conference is set for February 11, 2013, at 9:00 a.m. A joint status report shall be
9 filed fourteen days prior to the hearing.

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11 **Date: 12/18/2012**

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14 GARLAND E. BURRELL, JR.
15 Senior United States District Judge
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