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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

BRYAN DENMAN,

Plaintiff,

VS.

CITY AND TRACY, *et al.*,  
Defendants.

**CASE NO.:** 2:11-CV-00310-GEB-JFM

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

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

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

**IT IS SO STIPULATED:**

Dated: December 18, 2012

By: /s/ Michael Bracamontes  
Michael R. Bracamontes, Esq.  
Attorney for Plaintiff Bryan Denman

1 Dated: December 18, 2012

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

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.

10  
11 Date: 12/18/2012

12   
13 GARLAND E. BURRELL, JR.  
14 Senior United States District Judge