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12 Attorneys for Plaintiffs
13 JOSEPH L. JOHNSON, CYNTHIA A. MITCHELL
14 and JOHN WILSON

15 **IN THE UNITED STATES DISTRICT COURT
16 FOR THE EASTERN DISTRICT OF CALIFORNIA**

17 JOSEPH L. JOHNSON, an individual,
18 CYNTHIA A. MITCHELL, an individual,
19 and as successor-in-interest to decedent
20 MARIO D.S.M. ROMERO, JOHN
21 WILSON, an individual, and as successor-
22 in-interest to decedent MARIO D.S.M.
23 ROMERO

24 Plaintiffs,

25 vs.

26 THE CITY OF VALLEJO, a municipality
27 and charter city, POLICE OFFICER
28 DUSTIN B. JOSEPH, an individual, and
29 POLICE OFFICER SEAN G. KENNEY,
30 an individual,

31 Defendants.

32 CASE NO.: 2:13-CV-01072-JAM-KJN
33 (CONSOLIDATED WITH CASE NO.: 2:13-
34 CV-02060-JAM-KJN)

35 **STIPULATION AND ORDER
36 JOINING JOHN WILSON AS A
37 PARTY PURSUANT TO F.R.C.P. § 19**

38 **Courtroom 6, 14th Floor**

39 **Hon. John A. Mendez**

40 **Trial Date: October 26, 2015
41 Pre-Trial Conf.: September 4, 2015**

42 **AND CONSOLIDATED ACTIONS**

43 All counsel has become aware of the existence of an additional heir to Mario Romero, John
44 Wilson, Mr. Romero's biological father. Mr. Wilson has consented to join this action as a plaintiff.
45 The parties hereby stipulate that John Wilson be joined as a party Plaintiff to all remaining causes of
46 action originally set forth by Plaintiff Cynthia Mitchell herein, as an individual and successor in
47

1 interest to Mario Romero, and for all purposes including F.R.C.P. disclosures.¹ The answer filed in
2 this action (ECF No. 6) is deemed the answer to all of Mr. Wilson's claims. Discovery remains closed
3 with the limited exception that Mr. Wilson agrees to appear and testify at a deposition. The pretrial
4 conference remains scheduled for September 4, 2015 and the trial date remains October 26, 2015.

5 Dated: July 6, 2015 BOWLES & Verna LLP
6

7 By: /s/ William T. Nagle.
8 Lawrence Goldberg
9 William Nagle
10 Attorneys for Plaintiffs
11 J. JOHNSON, C. MITCHELL and J. WILSON

12 Dated: July 6, 2015 JONES & DYER
13

14 By: /s/ Kristen K. Preston.
15 Mark A. Jones
16 Kristen K. Preston
17 Attorneys for Defendants City of Vallejo,
18 D. Joseph, S. Kenney

19 Dated: July 6, 2015 CITY OF VALLEJO
20

21 By: /s/ Kelly J. Trujillo.
22 Claudia Quintana
23 Kelly J. Trujillo
24 Attorneys for Defendants City of Vallejo,
25 D. Joseph, S. Kenney
26

27 ¹ All Mitchell causes of action that remain following the Court's ruling on Defendants' dispositive
28 motions heard on April 8, 2015.

1 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that John Wilson be joined as
2 a party Plaintiff in this action pursuant to this Stipulation and F.R.C.P. § 19(b) as to all causes of
3 action pleaded on behalf of Plaintiff Cynthia Mitchell subject to the Court's order on Defendants'
4 motion for summary judgment/adjudication and for judgment on the pleadings heard April 8,
5 2015. Defendants' original Answer to Plaintiffs' Complaint (ECF No. 6) is deemed an Answer to
6 all the claims stated by John Wilson. Mr. Wilson is also added to Plaintiffs Johnson and
7 Mitchell's previously served statutory disclosures, including their F.R.C.P. 26 disclosure(s) and
8 expert witness disclosure(s). Mr. Wilson will appear for deposition; otherwise discovery remains
9 closed. The addition of John Wilson shall not alter the Pretrial Conference currently set for
10 September 4, 2015 nor the trial date currently set for October 26, 2015.

12 IT IS SO ORDERED.

13 | DATE: 7/6/2015

/s/ John A. Mendez

Hon. John A. Mendez
UNITED STATES DISTRICT COURT JUDGE