

1 MICHAEL P. VERNA (# 84070)
LAWRENCE D. GOLDBERG (# 168142)
2 BOWLES & VERNA LLP
2121 N. California Blvd., Suite 875
3 Walnut Creek, California 94596
Telephone: (925) 935-3300
4 Facsimile: (925) 935-0371
Email: mverna@bowlesverna.com
5 lgoldberg@bowlesverna.com

6 Attorneys for Plaintiffs JOSEPH L. JOHNSON
and CYNTHIA A. MITCHELL, individually and
7 as successor-in-interest and personal
representative of decedent MARIO D. S .M. ROMERO
8

9 IN THE UNITED STATES DISTRICT COURT

10 FOR THE EASTERN DISTRICT OF CALIFORNIA

11
12 JOSEPH L. JOHNSON, an individual, CYNTHIA
A. MITCHELL, an individual, and as successor-in-
13 interest and personal representative of decedent
MARIO D. S .M. ROMERO,

14
15 Plaintiffs,

16 vs.

17 THE CITY OF VALLEJO, a municipality and
charter city; POLICE OFFICER DUSTIN B.
18 JOSEPH, an individual, POLICE OFFICER SEAN
G. KENNEY, an individual, VALLEJO CHIEF OF
19 POLICE JOSEPH M. KREINS, an individual and
DOES 1-5 inclusive,

20
21 Defendants.

CASE NO. 2:13-cv-01072-JAM-KJN

**STIPULATION AND ORDER
REGARDING TESTING OF
BIOLOGICAL SAMPLES**

22
23 The parties to this action hereby stipulate to the procedure set forth below for
transferring biological samples of the deceased, Mario D.S.M. Romero, from the Solano
24 County Coroner's Office to a laboratory designated in the Order below for the purpose
25 of obtaining DNA information. All the parties stipulate to the foregoing and to the
26 chain of custody identified in the Order as follows:

27
28 GOOD CAUSE having been made to appear and pursuant to the stipulation of all
counsel it is ordered that: Genex Diagnostics, Inc., #180-4616 25th Avenue NE, Seattle,

1 Washington 98105 will overnight a DNA test kit directly to the Solano County
2 Coroner's Office at 530 Union Avenue, Suite 100, Fairfield, CA 94533, Phone: 707-
3 784-7000, via Federal Express. An official at the Solano County Coroner's Office will
4 sign for the test kit to maintain the chain of custody. An official from the Coroner's
5 Office will then submit a blood spot card in the test kit pursuant to the directions by
6 Genex Diagnostics, and the blood on the blood spot card will be blood taken from the
7 decedent Mario D.S.M. Romero. The Solano County Coroner's Officer will verify prior
8 to providing the sample from the decedent that more blood samples from the decedent
9 Mario D.S.M. Romero are available and will be preserved. The Solano County
10 Coroner's Office official will then overnight the test kit and the blood spot card to
11 Genex Diagnostics via Federal Express. Upon receipt of the test kit and the blood spot
12 card, an official from Genex Diagnostics will sign for the test kit and the blood spot card
13 to ensure that the chain of custody is maintained.

14 Genex Diagnostics will then perform a blood test to confirm that it has adequate
15 blood samples on the blood spot card to perform a DNA test on Mario D.S.M. Romero.
16 Once it confirms that fact, it will perform the DNA test, and upon completion of the
17 DNA testing, the results of all testing reports shall be sent to William Nagle at Bowles
18 & Verna LLP, 2121 North California Boulevard, Suite 875, Walnut Creek, California
19 94596, to Catherine Haley at the Law Offices of Catherine Haley, 1633 San Pablo
20 Avenue, Oakland, California 94612, and to Mark A. Jones at Jones & Dyer, 1800 J
21 Street, Sacramento, California 95811. After the completion of all the testing, the blood
22 spot card can be destroyed.

23 Upon completion of the DNA test, a swab of Namaria Romero's saliva will be
24 sent by Natasha Romero on behalf of the minor Namaria Romero directly to Genex
25 Diagnostics in Vallejo California. A swab of Natasha Romero's saliva will also be sent
26 directly to Genex Diagnostics in Vallejo California. Written results of all DNA testing
27 will be provided to all parties to this action.
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1 All fees for the above-referenced DNA testing, including delivery costs are to be
2 paid by Bowles & Verna.

3
4 Dated: June 5, 2014

JONES & DYER

5
6 By: /s/

7 Mark A. Jones

8 Kristen K. Preston

9 Attorneys for Defendants City of Vallejo,

D. Joseph, S. Kenney and J. Kreins

10 Dated: June 5, 2014

CITY OF VALLEJO

11
12 By: /s/

13 Claudia Quintana

14 Kelly J. Trujillo

15 Attorneys for Defendants City of Vallejo,

16 D. Joseph, S. Kenny, and J. Kreins

17 Dated: June 5, 2014

BOWLES & VERNA LLP

18
19 By: /s/

20 Lawrence Goldberg

21 William Nagle

Attorneys for Plaintiffs

22 Dated: June 5, 2014

THE HALEY LAW OFFICES, P.C.

LAW OFFICES OF CATHERINE HALEY

23
24
25 By: /s/

26 Matthew D. Haley

27 Catherine Haley

Attorneys for Plaintiffs

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ORDER

IT IS SO ORDERED.

Dated: 6/5/2014

/s/ John A. Mendez

U.S. District Court Judge