

1 **JOHN L. BURRIS, Esq., SBN 69888**
 2 **LATEEF H. GRAY, Esq., SBN 250055**
 3 **LAW OFFICES OF JOHN L. BURRIS**
 Airport Corporate Center
 4 7677 Oakport St., Suite 1120
 Oakland, CA 94621
 Telephone: (510) 839-5200
 5 Facsimile: (510) 839-3882
 Email: John.Burris@johnburrislaw.com
 6 Email: Lateef.Gray@johnburrislaw.com

7 Attorneys for Plaintiffs

8 **UNITED STATES DISTRICT COURT**
 9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

10 L.F., A MINOR, BY AND THROUGH)
 DANISHA BROWN, AND K.F., A MINOR,)
 11 BY AND THROUGH DANISHA BROWN,)

12 Plaintiffs,)

13 vs.)

14 CITY OF STOCKTON, STOCKTON)
 POLICE DEPARTMENT ; ERIC T. JONES ;)
 15 DAVID WELLS, et al.,)

16 Defendants.)

Case No.: 2:17-cv-1648 KJM DB
 Case No.: 2:17-cv-02038-KJM DB

PLAINTIFFS' PETITION TO
 APPOINT GUARDIAN AD LITEM
 AND PROPOSED ORDER

HON. JUDGE Kimberly J. Mueller

17 M.C.F. by and through his Guardian Ad)
 Litem ELIZABETH CASAS BAUTISTA,)
 18 individually and as successor-in-interest to)
 Decedent COLBY FRIDAY: K.S.F., by and)
 19 through her Guardian Ad Litem ELIZABETH)
 20 CASAS BAUTISTA, individually and as)
 successor-in-interest to Decedent COLBY)
 21 FRIDAY; THE ESTATE OF COLBY)
 FRIDAY, by and through its personal)
 22 representative DENISE FRIDAY HALL,)

23 Plaintiffs,)

24 v.)

25 CITY OF STOCKTON, STOCKTON)
 POLICE DEPARTMENT ; ERIC T. JONES;)
 26 DAVID WELLS, et al.,)

27 Defendants.)

28 Petition to Appoint Guardian Ad Litem

1 Petitioner DR. ARTHUR HALL respectfully represents:

- 2 1. I am the biological uncle of the decedent, Mr. Colby Friday, and the two minor children,
3 M.C.F. and K.S.F.
- 4 2. I became involved in this matter at the request of minor Plaintiffs' M.C.F. and K.S.F
5 attorneys, John L. Burris and Lateef H. Gray. I have become familiar with the facts of this
6 case.
- 7 3. Plaintiffs' allege causes of action against the named defendants herein for violations of civil
8 and constitutional rights.
- 9 4. Plaintiffs' causes of action arose out of the death of their biological father, Mr. Colby Friday,
10 who was shot and killed by police officer David Wells, then employed by the City of Stockton
11 and Stockton Police Department.
- 12 5. A previous petition for appointment of guardian ad litem has been filed in this matter.
- 13 6. The court previously appointed ELIZABETH CASAS BAUTISTA as guardian ad litem.
- 14 7. I am aware that ELIZABETH CASAS BAUTISTA is unwilling to continue to serve as the
15 Plaintiffs' guardian ad litem.
- 16 8. I am prepared and willing to serve as guardian ad litem on this matter to facilitate the process
17 for both the court and Plaintiffs' attorneys.
- 18 9. This petition was prepared by the Law Offices of John L. Burris, the lead counsel representing
19 Plaintiffs in this action. Lateef H. Gray, Esq. of Law Offices of John L. Burris, also represents
20 Plaintiffs and is in agreement with the terms of this Petition. John L. Burris, Esq. and Lateef
21 H. Gray, Esq., hereby represent to the Court that they became involved in this case at the
22 request of Plaintiffs, and have not received, and do not expect to receive, any compensation for
23 their services in connection with this action from any person other than the parties whom they
24 represent in this action.

24 I declare under penalty of perjury that the foregoing is true and correct.

25 Dated: September 19, 2018

26 /s/ Arthur Hall
27 Dr. Arthur Hall

1 **ATTORNEY ATTESTATION**

2 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
3 conformed signature (“/s/”) within this E-filed document.

4 Dated: October 10, 2018

5 /s/ Lateef H. Gray _____
6
7
8
9

10
11 **ORDER**

12
13
14 Plaintiffs’ petition to relieve Elizabeth Bautista and appoint Dr. Arthur Hall as the guardian ad
15 litem of M.C.F. and K.S.F. in the instant matter is hereby GRANTED.

16 IT IS SO ORDERED.

17 DATED: October 16, 2018.

18 
19 _____
20 UNITED STATES DISTRICT JUDGE
21
22
23
24
25
26
27
28