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20 **UNITED STATES DISTRICT COURT**  
21 **EASTERN DISTRICT OF CALIFORNIA**

22 I.F., by and through her guardian ad litem SHASTA  
23 SKINNER, individually and as successor-in-interest to  
24 Decedent RONELL FOSTER; R.F., by and through his  
25 guardian ad litem SHENA BATTEN, individually and  
26 as successor-in-interest to Decedent RONELL  
27 FOSTER; PAULA MCGOWAN, individually; and  
28 RONELL FOSTER, SR., individually.

Plaintiffs,

vs.

CITY OF VALLEJO, a municipal corporation; RYAN  
MCMAHON, individually and in his official capacity as  
a Police Officer for the CITY OF VALLEJO; and  
DOES 1-50, inclusive.

Defendants.

No: 2:18-cv-00673-JAM-CKD

**STIPULATION AND ORDER  
FOR FORENSIC  
EXAMINATION AND  
SAMPLING OF DECEDENT'S  
BIOLOGICAL SAMPLES**

1 On February 17, 2020, Plaintiff I.F. served a subpoena requiring the Solano County  
2 Coroner's Office and forensic pathologist Arnold Josselson, MD, to produce recuts of histological  
3 slides to, and permit examination and sampling of decedent Ronell Foster's biological material by,  
4 Plaintiff's expert forensic pathologist, Bennet I. Omalu, MD, MBA, MPH, CPE, DABP-AP, CP,  
5 FP, NP, including:

- 6 1) Produce recuts of ALL tissue histology slides stained with hematoxylin and eosin stains,  
7 including sections of ALL tissues and organs in stock jars, concerning Ronell Diangelo  
8 Foster (Case No. 2018-0159, DOB 11/18/1984, DOD 2/13/2018), and do NOT freeze  
9 samples, slides, or stock jars; and
- 10 2) Permit entry onto premises for Bennet I. Omalu, MD, MBA, MPH, CPE, DABP-AP, CP,  
11 FP, NP, to inspect, measure, examine, photograph, test, and take samples and sections of any  
12 and all tissues, blood, and other biological matter and create additional tissue and/or  
13 histology slides and samples relating to Ronell Diangelo Foster (Case No. 2018-0159, DOB  
14 11/18/1984, DOD 2/13/2018).

15 Solano County and Dr. Josselson do not object to the required production and  
16 examination, but has stated that it requires a Stipulation and Order to comply with the subpoena.  
17 The parties to this matter, as well as Solano County and Dr. Josselson, hereby stipulate and agree  
18 that, at a time and date mutually convenient for Solano County, the parties, Dr. Josselson and Dr.  
19 Omalu, the inspection and sampling set forth in the subpoena shall occur.

20 DATED: March 3, 2020

HADDAD & SHERWIN LLP

/s/ Julia Sherwin  
JULIA SHERWIN  
Attorneys for Plaintiff I.F.

21  
22  
23 DATED: March 5, 2020

City Attorney for the City of Vallejo

/s/ Timothy R. Smyth  
TIMOTHY R. SMYTH  
Deputy City Attorney  
Attorney for Defendants

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DATED: March 5, 2020

Law Offices of John Burris

/s/ Adante D. Pointer  
ADANTE D. POINTER  
PATRICK BUELNA

Attorney for Plaintiffs, R.F., et al.

DATED: March 5, 2020

Solano County Counsel

/s/ Ramona M. Margherio  
RAMONA M. MARGHERIO  
Deputy County Counsel  
Attorney for Solano County and Dr. Josselson

**ORDER**

Based on the parties' stipulation, and with good cause appearing therefore,  
IT IS SO ORDERED.

Dated: March 12, 2020

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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