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15 UNITED STATES DISTRICT COURT
 16 EASTERN DISTRICT OF CALIFORNIA

17 KAREN SUTHERLAND, et al.

18 Plaintiffs,
19 vs.

20 CITY OF STOCKTON, et al.

21 Defendants.
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Case No.: 2:21-cv-01855-WBS-AC

**STIPULATION FOR EXCHANGE OF
INFORMATION;
[PROPOSED] ORDER**

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1 All parties, through their counsel of record, enter into this Stipulation.

2 RECITALS

3 A. On October 8, 2020, Shayne Allen Sutherland (the “Decedent”) died in
4 San Joaquin County, and his death is the subject of this lawsuit.

5 B. On October 9, 2020, San Joaquin County’s Chief Medical Examiner,
6 Michael D. Hunter, M.D., performed an autopsy on the Decedent’s body, which included
7 taking photographs and/or videos of the Decedent’s body.

8 C. On October 13, 2020, on Plaintiffs’ request, Bennet Omalu, M.D.,
9 performed a second autopsy of the Decedent, which included taking photographs
10 and/or videos of the Decedent’s body and tissue samples (“Dr. Omalu’s Materials”).

11 D. On September 22, 2023, Plaintiffs issued an expert disclosure that
12 included Dr. Omalu as their retained forensic pathology expert, and Defendants issued
13 an expert disclosure that included Jason Tovar, M.D., as their retained forensic
14 pathology expert.

15 STIPULATION

16 The parties, through their undersigned counsel of record, agree as follows:
17 Plaintiffs and their counsel will permit Dr. Tovar to examine Dr. Omalu’s Materials taken
18 during his second autopsy, at Dr. Omalu’s office, 1621 Executive Court, Sacramento,
19 California 95864 on November 27, 2023, starting at 9:00 a.m.

20 Dated: November 14, 2023 HERUM CRABTREE SUNTAG, LLP
21 By: /s/ Joshua J. Stevens
22 DANA A. SUNTAG
23 JOSHUA J. STEVENS
Attorneys for all Defendants

24 Dated: November 14, 2023 V. JAMES DESIMONE LAW
25 By: /s/ V. James DeSimone
26 V. JAMES DESIMONE
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PROPOSED ORDER

The Court, having considered the parties' stipulation, and good cause appearing, rules as follows: the relief the parties request is GRANTED.

Dr. Tovar is permitted to examine Dr. Omalu's Materials taken during his second autopsy, at Dr. Omalu's office, 1621 Executive Court, Sacramento, California 95864 on November 27, 2023, starting at 9:00 a.m. Should any issues arise, counsel for the parties shall meet and confer in good faith to resolve them.

IT IS SO ORDERED.

Dated: November 15, 2023



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE