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10  
 11 IN THE UNITED STATES DISTRICT COURT  
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN FRANCISCO DIVISION

14  
 15 **DERRICK CLARK, et al.,**

16 Plaintiffs,

17 v.

18 **STATE OF CALIFORNIA, et al.,**

19 Defendants.  
 20

C 96-1486 CRB

**STIPULATION REGARDING  
 BRANDON PETTIES (G-36952)**

Date: May 10, 2010  
 Time: 8:30 a.m.  
 Courtroom: 8, 19th Floor  
 Judge: The Honorable Charles R.  
 Breyer  
 Action Filed: April 22, 1996

21 The parties to this action, through their respective counsel, stipulate that Plaintiffs may use  
 22 the deposition transcript of Brandon Petties (G-36952) as substantive testimony at the evidentiary  
 23 hearing that began May 10, 2010. The parties also stipulate that Defendants may counter-  
 24 designate portions of Mr. Petties's deposition as cross-examination testimony. The parties  
 25 reserve the right to raise all objections under the law to admissibility of the deposition testimony,  
 26 including Federal Rule of Civil Procedure 32(b).

27 The parties further stipulate to the following facts regarding Mr. Petties:  
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1. Mr. Petties has been convicted of felonies under the following statutes: California Penal Code 211 (October 2, 2008) and California Penal Code 12025(a)(2) (March 9, 2005).

2. Mr. Petties was released on parole in May, 2010.

Dated: May 21, 2010

EDMUND G. BROWN JR.  
Attorney General of California

/s/ Jose A. Zelidon-Zepeda  
JOSE A. ZELIDON-ZEPEDA  
Deputy Attorney General  
*Attorneys for Defendants*

Dated: May 21, 2010

/s/ Sara Norman  
SARA NORMAN, ESQ.  
Prison Law Office  
*Attorneys for Plaintiffs*

Pursuant to the parties' stipulation, IT IS SO ORDERED.

Dated: May 24, 2010

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THE HONORABLE CHARLES R. BREYER  
*United States District Judge*

