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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 GARY
DAVENPORT (K72303)**

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 Gary Davenport (K-72303) 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. Davenport'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. Davenport:
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1. Mr. Davenport has been convicted of a felony under the following statute: California Penal Code 459 (May 16, 1989).

Dated: May 20, 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 20, 2010

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

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

Dated: May 25, 2010

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