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OFFICER K. DEBLASI, OFFICER F. ONCIANO AND SGT. J. LOUIS  
13

14 **UNITED STATES DISTRICT COURT**

15 **NORTHERN DISTRICT OF CALIFORNIA**

16  
17 **FRANK CISNEROS, BEATRICE**  
**CISNEROS, and KASI CISNEROS,**

Case No. C07-02788 JCS

18  
19 *Plaintiffs,*

**STIPULATION AND ORDER RE:  
DISMISSAL OF CERTAIN  
DEFENDANTS AND CERTAIN CLAIMS**

20 v.

21 **SERGEANT T. CURTIN, CITY OF**  
**BERKELEY, et al.,**

22 *Defendants.*  
23 \_\_\_\_\_/

24 **STIPULATION**

25 The parties stipulate, through their respective counsel, and hereby request the Court to  
26 Order that:

- 27 1. The following individual defendants are dismissed from this lawsuit: Officer  
28 Keith DeBlasi, Sgt. Jennifer Louis (sued herein as Officer Louis), Frank Onciano (sued herein as

1 Officer Onciano), Officer Glenn Pon (sued herein as Detective Pon), and Officer Jeffrey Luna.

2 2. The following state law claims against Sgt. Thomas Curtin are dismissed:

- 3 • First Cause of Action for “Violation of Civil Rights” under state law only;
- 4 • Second Cause of Action for “Use of Excessive Force” under state law only;
- 5 • Third Cause of Action for “Assault and Battery” under state law only;
- 6 • Fourth Cause of Action for “Loss of Consortium” under state law only;
- 7 • Fifth Cause of Action for “Contemporaneous Experience of Injury to a Close Family
- 8 Member” under state law only; and
- 9 • Sixth Cause of Action for “Contemporaneous Experience of Injury to a Close Family
- 10 Member” under state law only.

11 Each side is to bear their own costs and attorney’s fees in connection with this Stipulation  
12 and Order dismissing certain parties and certain claims.

13  
14 ZACH COWAN, ACTING CITY ATTORNEY  
MATTHEW J. OREBIC, DEPUTY CITY ATTORNEY

15 Dated: February 7, 2008

16 By \_\_\_\_\_ /s/  
17 Matthew J. Orebic  
18 Attorney for Defendants SGT. T. CURTIN,  
OFFICER G. PON, OFFICER J. LUNA, OFFICER K.  
DEBLASI, OFFICER F. ONCIANO, AND SGT. J. LOUIS

19 LAW OFFICES OF JOHN E. HILL

20 Dated: February 7, 2008

21 By \_\_\_\_\_ /s/  
22 John E. Hill  
23 Counsel for Plaintiffs FRANK CISNEROS,  
BEATRICE CISNEROS, AND KASI CISNEROS

24 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

25 Dated: Feb. 8, 2008

26  
27  
28 JOSEPH C. SPERO  
Magistrate Judge

