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7 Attorneys for Defendants

8  
 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11 MEHRDAD ALEMOZAFFAR,

12 Plaintiff,

13 vs.

14 CITY AND COUNTY OF SAN  
 FRANCISCO, a municipal corporation;  
 15 JESSE SERNA, individually and in his  
 official capacity as a police officer for the  
 16 CITY AND COUNTY OF SAN  
 FRANCISCO; GARY MORIYAMA,  
 17 individually and in his official capacity as  
 a police officer for the CITY AND  
 18 COUNTY OF SAN FRANCISCO; J  
 MCGRATH, individually and in his  
 19 official capacity as a police officer for the  
 CITY AND COUNTY OF SAN  
 20 FRANCISCO; J. REYMUNDO,  
 individually and in his official capacity as  
 21 a deputy sheriff officer for the CITY AND  
 COUNTY OF SAN FRANCISCO; G.  
 22 COVIELLO, , individually and in his  
 official capacity as a deputy sheriff officer  
 23 for the CITY AND COUNTY OF SAN  
 FRANCISCO.

24 Defendants.

Case No. C07-4494 JSW

**STIPULATION AND [PROPOSED]  
 ORDER RE DISCOVERY ON LOST-  
 EARNINGS CLAIM BY PLAINTIFF**

1 WHEREAS the parties disclosed experts on January 30, 2009;

2 WHEREAS plaintiff disclosed several experts who opined that Plaintiff has reduced ability  
3 to earn income in the future as a surgeon as a result of injuries sustained during the subject incident;

4 WHEREAS based on such expert opinions, Plaintiff is making a wage-loss claim that may be  
5 as large as \$8,000,000;

6 WHEREAS the parties have a dispute about whether Plaintiff adequately disclosed this  
7 wage-loss claim during discovery, with Plaintiff contending that he did and that the claim is  
8 therefore proper, and Defendants contending that he did not and that the claim is therefore  
9 excludable on motion to strike or motion in limine;

10 AND WHEREAS the parties have met and conferred and determined that discovery into the  
11 wage-loss claim is appropriate at this point in time;

12 THE PARTIES HEREBY AGREE AND STIPULATE, subject to approval of the Court, that  
13 Defendants may take discovery into Plaintiff's wage-loss claim by subpoenaing Plaintiff's  
14 employment records and taking appropriate depositions.

15  
16 Dated: February 3, 2009

17 DENNIS J. HERRERA  
18 City Attorney  
19 JOANNE HOEPER  
20 Chief Trial Deputy  
21 SCOTT D. WIENER  
22 DANIEL A. ZAHEER  
23 Deputy City Attorney

24 - /s/ - Scott D. Wiener

25 By: \_\_\_\_\_  
26 SCOTT D. WIENER  
27 Attorneys for Defendants  
28

1 Dated: February 3, 2009

2 LAW OFFICES OF SANFORD M. CIPINKO

3 - /s/ - Jeremy Cloyd

4 By: \_\_\_\_\_

5 JEREMY CLOYD

6 Attorneys for Plaintiff MEHRDAD ALEMOZAFFAR

7 \*Pursuant to GO 45, the electronic signatory has  
8 obtained approval from this signatory.

9 SO ORDERED.

10 Dated: February 4, 2009

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12 \_\_\_\_\_  
13 HON. JEFFREY S. WHITE  
14 UNITED STATES DISTRICT JUDGE

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