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6 Attorneys for Plaintiff
 CARLOS ANTHONY HAWTHORNE II

7
 8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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 11 CARLOS ANTHONY HAWTHORNE II,

12 Plaintiff,

13 v.

14 R. AYERS, JR.; A. COTA; R.W. FOX; J.
 15 PICKETT; D. LEE; T. HOLT; S.
 16 ROBINSON; R. CRUZ; and DOES 1-50,

17 Defendants.

Case No: C 08-1473-WHA (PR)

STIPULATION AND ORDER

Action Filed: November 17, 2008

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP
 101 CALIFORNIA STREET, SUITE 2300
 SAN FRANCISCO, CALIFORNIA 94111

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1 WHEREAS, on August 11, 2011, the Court granted Plaintiff up to and including
2 September 30, 2011, to move for leave to file an amended complaint or to add new parties;

3 WHEREAS, Plaintiff proposes to file the Third Amended Complaint, a copy of which is
4 attached hereto as Exhibit 1, and Defendants have stipulated to its filing pursuant to Federal Rule
5 of Civil Procedure 15(a)(2);

6 WHEREAS, the parties reached agreement on the terms of a stipulation and proposed
7 order for the filing of the proposed Third Amended Complaint, which are set forth below;

8 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel
9 for the parties:

- 10 1. Plaintiffs may file their proposed Third Amended Complaint.
11 2. Defendants waive no defenses that they may have to the claims of Plaintiff.

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13 Dated: September 30, 2011

By: /s/ Brian Brosnahan
KASOWITZ BENSON TORRES & FRIEDMAN
LLP

Attorneys for Plaintiff Carlos A. Hawthorne


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15
16 Dated: September 30, 2011

By: /s/ Michael J. Quinn

*Attorneys for Defendants Fox, Cruz, Pickett, Holt,
Lee, Robinson, and Cota*

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19 PURSUANT TO STIPULATION, IT IS SO ORDERED:

20 Dated: October 7, 2011.

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22 William Alsup
23 UNITED STATES DISTRICT JUDGE
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