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13 Attorneys for Defendants
 14 CITY OF ANTIOCH and OFFICER
 DESMOND BITTNER

15
 16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**

18
 19 ONITA TUGGLES,

20 Plaintiff,

21 vs.

22 CITY OF ANTIOCH, and OFFICER
 23 DESMOND BITTNER, in his individual and
 official capacities,

24 Defendants.

)
) Case No.: C 08-01914 JCS
)

) **STIPULATION AND ORDER NO. 2:**
) **DEFENDANT DESMOND BITTNER**
) **ACTED UNDER COLOR OF LAW**

) Trial Date: August 30, 2010
) Judge: Hon. Joseph C. Spero
) Ctrm A, 15th Floor
)
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)
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 27 All parties, by and through their respective counsel, hereby stipulate that Antioch Police
 28 Department Officer, Defendant Desmond Bittner, acted under color of law at all relevant

1 times identified in this lawsuit.

2 **IT IS SO STIPULATED.**

3
4 DATED: July 26, 2010

By: /s/ Jivaka Candappa

5 _____
JIVAKA CANDAPPA
6 Attorney for Plaintiff
ONITA TUGGLES

7 DATED: July 26, 2010

8 MCNAMARA, DODGE, NEY, BEATTY, SLATTERY,
PFALZER, BORGES, & BROTHERS LLP
9 /s/ James Fitzgerald, III

By: _____
10 JAMES V. FITZGERALD, III
11 PETRA BRUGGISSER
12 Attorneys for Defendants
CITY OF ANTIOCH and
OFFICER DESMOND BITTNER

13
14 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

15
16 DATED: 08/05/10 _____

