

ATKINSON, ANDELSON, LOYA, RUUD & ROMO
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
imoisa@aalrr.com

1 ATKINSON, ANDELSON, LOYA, RUUD & ROMO
A Professional Corporation
2 Irma Rodriguez Moisa, Esq. State Bar No. 162272
imoisa@aalrr.com
3 3450 14th Street, Suite 420
Riverside, California 92501
4 Telephone: (951) 683-1122
Facsimile: (951) 683-1144
5

6 Attorneys for Defendants, CITY OF RENO,
CITY OF RENO POLICE DEPARTMENT,
7 CITY OF RENO SWAT TEAM, CHIEF
MICHAEL POEHLMAN, SERGEANT
8 GREG CURRY, LIEUTENANT MICHAEL
WHAN, SERGEANT SCOTT DUGAN,
9 SERGEANT MICHAEL LESSMAN,
SERGEANT SEAN GARLOCK, SERGEANT
10 KEITH BROWN, DETECTIVE MICHAEL
TONE, AND DETECTIVE TOM BROOME
11

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14

15 JAMES L. TALADA III, an individual;
16 MELODY LABELLA, an individual,

17 Plaintiffs,

18 vs.

19 CITY OF MARTINEZ, CALIFORNIA;
20 CITY OF MARTINEZ POLICE
DEPARTMENT; CHIEF DAVE CUTAIA,
21 City of Martinez Chief of Police;
SERGEANT GARY PETERSEN, a
22 Martinez Police Officer; COMMANDER
MARK SMITH, a Martinez Police Officer;
23 CITY OF RENO, NEVADA; CITY OF
RENO POLICE DEPARTMENT; CITY
24 OF RENO S.W.A.T. TEAM; CHIEF
MICHAEL POEHLMAN, Reno Chief of
25 Police; SERGEANT GREG CURRY, a
Reno Police Officer; LIEUTENANT
26 MICHAEL WHAN, a Reno Police Officer -
SWAT Team; SERGEANT SCOTT
27 DUGAN, a Reno Police Officer - SWAT
Team; SERGEANT MICHAEL
28 LESSMAN, a Reno Police Officer - SWAT
Team; SERGEANT SEAN GARLOCK, a

CASE NO.: 3:08-cv-02771-WHA

Assigned to Hon. William H. Aslup
Courtroom 9, 19th Floor

**SPECIALLY APPEARING
DEFENDANTS CITY OF RENO, ET.
AL.'S STIPULATION TO DISMISS
PURSUANT TO FRCP 41(A)(2) AND
[PROPOSED] ORDER**

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
3450 14th Street, Suite 420
Riverside, California 92501
Telephone: (951) 683-1122
Facsimile: (951) 683-1144

1 Reno Police Officer - SWAT Team;
2 SERGEANT KEITH BROWN, a Reno
3 Police Officer - SWAT Team;
4 DETECTIVE MICHAEL TONE, a Reno
5 Police Officer - Arresting Officer;
6 DETECTIVE TOM BROOME, a Reno
7 Police Officer; GUARDSMARK GP, LLC,
8 a California Corporation; GUARDSMARK,
9 LLC, a California Corporation; CHARLIE
10 PARKER, a Guardsmark employee and
11 Manager-in-Charge; COLIN MANUAL, a
12 Guardsmark employee and Account
13 Manager; CRISTINA AKESON, a
14 Guardsmark employee and Security Guard;
15 DAVID AKESON, an individual;
16 CENTRAL CONTRA COSTA
17 SANITARY DISTRICT ("CCCSD"), a
18 Public Entity; RANDALL MUSGRAVES,
19 Director of Administration and an employee
20 of CCCSD; SHARI DEUTSCH, Safety and
21 Risk Management Administrator and
22 employee of CCCSD; RUTH BENNETT,
23 Safety and Risk Management Technician
24 and employee of CCCSD; CATHRYN
25 FREITAS, Human Resources Director at
26 CCCSD; STEVEN LAREN, a Security
27 Officer at CCCSD; JAMES M. KELLY,
28 General Manager at CCCSD; ROBERT J.
KOCHLY, Contra Costa County District
Attorney; MARK PETERSON, Contra
Costa Senior Deputy District Attorney -
Sexual Assault Division; WILLIAM
CLARK, Contra Costa County Deputy
District Attorney - Special Prosecutions
Unit; ANDREA MORELAND, Contra
Costa County Senior Investigator;
CONTRA COSTA COUNTY OFFICE OF
THE DISTRICT ATTORNEY, a public
entity; CITY OF SACRAMENTO,
CALIFORNIA; CITY OF SACRAMENTO
POLICE DEPARTMENT; CHIEF RICK
BRAZIEL, Sacramento Chief of Police;
SERGEANT RICHARD GAUTIER, a
Sacramento Police Officer; and DOES 1
through 100, inclusive.,

Defendants.

26 ///

27 ///

28

AININSUN, ANDELSUN, LUTA, RUUD &
ROMO
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
3450 14th Street, Suite 420
Riverside, California 92501
Telephone: (951) 683-1122
Facsimile: (951) 683-1144

1 **IT IS HEREBY STIPULATED** by and between the parties, Plaintiffs
2 JAMES L. TALADA, III and MELODY LABELLA, in pro per, and Defendants
3 CITY OF RENO, CITY OF RENO POLICE DEPARTMENT, CITY OF RENO SWAT
4 TEAM, CHIEF MICHAEL POEHLMAN, SERGEANT GREG CURRY, LIEUTENANT
5 MICHAEL WHAN, SERGEANT SCOTT DUGAN, SERGEANT MICHAEL
6 LESSMAN, SERGEANT SEAN GARLOCK, SERGEANT KEITH BROWN,
7 DETECTIVE MICHAEL TONE, AND DETECTIVE TOM BROOME, by through
8 their counsel of record, that the above-captioned action be and hereby is dismissed
9 **with prejudice** pursuant to FRCP 41(a)(2).

10 **IT IS FURTHER STIPULATED** that Defendants CITY OF RENO, CITY
11 OF RENO POLICE DEPARTMENT, CITY OF RENO SWAT TEAM, CHIEF
12 MICHAEL POEHLMAN, SERGEANT GREG CURRY, LIEUTENANT MICHAEL
13 WHAN, SERGEANT SCOTT DUGAN, SERGEANT MICHAEL LESSMAN,
14 SERGEANT SEAN GARLOCK, SERGEANT KEITH BROWN, DETECTIVE
15 MICHAEL TONE, AND DETECTIVE TOM BROOME will not pursue any claims
16 against Plaintiffs JAMES L. TALADA, III or MELODY LABELLA for any act or
17 omission arising from the incident(s) set forth in Plaintiffs' First Amended Complaint.

18 ///
19 ///
20 ///
21 ///
22 ///
23 ///
24 ///
25 ///
26 ///
27 ///
28 ///


ATINSON, ANDELSON, LOYA, RUUD & ROMO
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
3450 14th Street, Suite 420
Riverside, California 92501
Telephone: (951) 683-1122
Facsimile: (951) 683-1144

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

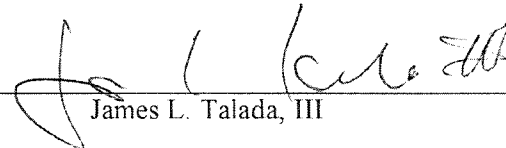
Each party will bear their own fees and costs.

IT IS SO STIPULATED.

DATED: November 17, 2008 ATKINSON, ANDELSON, LOYA, RUUD & ROMO

By: 
Irma Rodriguez Moisa
Attorneys for Defendants, CITY OF RENO, CITY OF RENO POLICE DEPARTMENT, CITY OF RENO SWAT TEAM, CHIEF MICHAEL POEHLMAN, SEGEANT GREG CURRY, LIEUTENANT MICHAEL WHAN, SERGEANT SCOTT DUGAN, SERGEANT MICHAEL LESSMAN, SERGEANT SEAN GARLOCK, SERGEANT KEITH BROWN, DETECTIVE MICHAEL TONE, AND DETECTIVE TOM BROOME

DATED: November 14, 2008

By: 
James L. Talada, III

DATED: November 14, 2008

By: 
Melody LaBella

IT IS SO ORDERED.

Plaintiffs James L. Talada, III and Melody LaBella's action (United States District Court Case No.: 3:08-cv-02771-WHA) against Defendants City of Reno, City of Reno Police Department, City of Reno SWAT Team, Chief Michael Poehlman, Sergeant Greg Curry, Lieutenant Michael Whan, Sergeant Scott Dugan, Sergeant Michael Lessman, Sergeant Sean Garlock, Sergeant Keith Brown, Detective Michael Tone, and Detective Tom Broome, for:

AININSUN, ANDELSUN, LUYA, KUUD &
ROMO
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
3450 14th Street, Suite 420
Riverside, California 92501
Telephone: (951) 683-1122
Facsimile: (951) 683-1144

- 1 (1) False Arrest/ Imprisonment;
- 2 (2) Assault and Battery;
- 3 (3) Negligence (by Plaintiff Talada);
- 4 (4) Negligence (by Plaintiff LaBella);
- 5 (5) Negligent Hiring, Retention, Supervision, Training (by Plaintiff Talada);
- 6 (6) Negligent Hiring, Retention, Supervision, Training (by Plaintiff LaBella);
- 7 (7) Intentional Misrepresentation and Nondisclosure of Material Facts;
- 8 (8) Negligent Misrepresentation and Nondisclosure of Material Facts;
- 9 (9) Intentional Infliction of Severe Emotional Distress;
- 10 (10) Negligent Infliction of Severe Emotional Distress;
- 11 (11) Conversion of Person Property;
- 12 (12) Trespass;
- 13 (13) Invasion of Privacy: Intrusion Upon Seclusion, Public Disclosure of Private Facts
- 14 and False Light;
- 15 (14) Unlawful and Unfair Business Practice - Violation of California Business and
- 16 Professions Code §17200;
- 17 (15) Civil Conspiracy and Collusion (by Plaintiff Talada);
- 18 (16) Civil Conspiracy and Collusion (by Plaintiff LaBella);
- 19 (17) Violation of Civil Rights - California Civil Code §52.1;
- 20 (18) Violation of Civil Rights Under the Constitution of the State of Nevada;
- 21 (19) Violation of Civil Rights Protected Under Federal Law (42 U.S.C. §§1983, 1986,
- 22 1988) and Under the Constitutions of the States of California and Nevada;
- 23 (20) Defamation of Character;
- 24 (21) Exemplary and Punitive Damages;
- 25 (22) Declaratory Relief - Joint and Several Liability;
- 26 (23) Declaratory Relief - Vicarious Liability;
- 27 (24) Preliminary Injunctions; and
- 28 (25) Permanent Injunctions.

AININSUN, ANDELSUN, LUYA, RUUD &

ROMO

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
3450 14th Street, Suite 420
Riverside, California 92501
Telephone: (951) 683-1122
Facsimile: (951) 683-1144

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

is dismissed with prejudice.

Each party is to bear their own fees and costs.

DATED: November 18, 2008

The Hon. William H. Alsup

