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Attorneys for Plaintiffs

8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**

10 URIAH DACH, DECEASED, )  
 11 THROUGH HIS SUCCESSORS IN )  
 12 INTEREST, TIMOTHY DACH AND )  
 13 ELAINE DACH; TIMOTHY DACH, )  
 14 Individually; and ELAINE DACH, )  
 15 Individually, )

Plaintiffs,

vs.

16 CITY OF RICHMOND, a public entity, )  
 17 POLICE OFFICER LOUIE TIRONA, )  
 18 Individually, POLICE OFFICER JOHN )  
 19 BRUCE, Individually, POLICE )  
 20 OFFICER CHRISTOPHER DECIOUS, )  
 21 Individually, POLICE OFFICER )  
 22 GARD, Individually, and DOES 1 )  
 23 through 10, Jointly and Severally, )

Defendants.

No: C-09-00171 JL (NJV)

**JOINT CASE MANAGEMENT  
CONFERENCE UPDATE**

CMC Date: February 3, 2010  
Time: 10:30 am

1 All parties to this lawsuit, by and through their respective counsel, state that an  
2 initial settlement conference with Judge Vadas was held on December 18, 2009. By that  
3 time, the parties had already conducted the depositions of all defendant officers,  
4 paramedics from the incident scene, and both plaintiffs. Voluminous documents were also  
5 inspected or exchanged, including police records, thousands of pages of decedent's prior  
6 medical records, and damages evidence.  
7

8 At the settlement conference, the parties agreed to frontload and narrow the issues  
9 for current discovery to cause of death through all pathologists involved in this matter,  
10 including from the Contra Costa County Coroner's Bureau, the independent pathologist  
11 retained by the family of the decedent shortly after his death, and each side's retained  
12 expert pathologists. Over the next 120 days, the parties propose to depose the county and  
13 independent pathologists, exchange brief reports from each side's retained expert  
14 pathologists, and if necessary, depose those experts, followed by another settlement  
15 conference with Judge Vadas.  
16

17 The parties request that discovery and disclosure dates remain open after this  
18 process in the event this matter does not resolve, and that this Court set a further Case  
19 Management Conference in late June, 2010. The parties would have no objection if this  
20 Court were to vacate the current Case Management Conference scheduled for February 3,  
21 2010.  
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Dated: January 27, 2010

MCNAMARA, DODGE, NEY, BEATTY, SLATTERY,  
PFALZER, BORGES & BROTHERS LLP

By:         /s/ Noah G. Blechman                  
James V. Fitzgerald, III  
Noah G. Blechman  
Attorneys for Defendants  
CITY OF RICHMOND, POLICE OFFICERS LOUIE  
TIRONA, JOHN BRUCE, CHRISTOPHER  
DECIOUS, AND OFFICER GARD

Dated: January 27, 2010

HADDAD & SHERWIN

By:         /s/ Michael J. Haddad                  
Michael J. Haddad  
Julia Sherwin  
Attorneys for Plaintiffs  
URIAH DACH, DECEASED, THROUGH HIS  
SUCCESSORS IN INTEREST, TIMOTHY DACH  
AND ELAINE DACH; TIMOTHY DACH, Individually;  
and ELAINE DACH, Individually

The Case Management Conference is continued to June 30, 2010 at 10:30 a.m.

Date: January 29, 2010

