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8 Attorneys for Plaintiffs

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11 )  
 12 THE ESTATE OF JERRY A. AMARO III; )  
 GERALDINE MONTOYA; STEPHANIE )  
 13 MONTOYA; )

14 Plaintiffs,

15 vs.

16 )  
 17 CITY OF OAKLAND, et al., )

18 Defendants.

19 )  
 20 )  
 21 )

CASE NO: C09-01019 WHA

**STIPULATION AND ~~PROPOSED~~  
 ORDER RE CONTACT INFORMATION  
 FOR SERVICE OF SUBPOENA ON LT.  
 PAUL BERLIN (RET.) AND ORDER  
 PERMITTING HIS DEPOSITION TO BE  
 TAKEN ON SHORTENED TIME**

22 \_\_\_\_\_  
 23 Estate of Amaro, et al. v. City of Oakland, et al  
 24 Case No. C09-01019 WHA  
 Stip and ~~Proposed~~ Order re Lt. Paul Berlin (Ret.)

1 THE PARTIES, BY AND THROUGH THEIR RESPECTIVE COUNSEL OF  
2 RECORD, DO HEREBY STIPULATE AND AGREE THAT:

3 Defendant CITY OF OAKLAND shall provide Plaintiffs' counsel with all known  
4 addresses and telephone numbers for Lt. Paul Berlin (Ret.) by no later than 2:00 p.m. on  
5 November 5, 2009, so that Plaintiffs may use this information solely for the purpose of serving  
6 Lt. Berlin with deposition and/or trial subpoenas. If Plaintiffs' counsel is unable to locate Lt.  
7 Berlin at the addresses provided by Defendant CITY OF OAKLAND, Defendant CITY OF  
8 OAKLAND shall promptly disclose Lt. Berlin's social security number, driver's license number  
9 and date of birth to Plaintiffs' counsel within 48 hours of their request so that additional  
10 investigative efforts to locate his whereabouts for service of subpoenas may be undertaken by  
11 Plaintiffs' counsel. In that event, Plaintiffs shall have the right to disclose the information to a  
12 licensed private investigators to assist them in locating Lt. Berlin for service of said subpoenas.

13 This information is deemed "Confidential" and is being disclosed by Defendant CITY OF  
14 OAKLAND to Plaintiffs' counsel pursuant to the terms of the Stipulated Protective Order  
15 previously entered by the Court on July 9, 2009. Furthermore, this information will only be  
16 disclosed on an as needed basis to process servers and/or private investigators retained by  
17 Plaintiffs' counsel who shall be instructed that the information is subject to said protective order.  
18 Said process servers and/or private investigators shall be instructed to return the information to  
19 Plaintiffs' counsel upon their successful and/or unsuccessful efforts to serve Lt. Berlin. Said  
20 information shall not be disclosed to the individual Plaintiffs or third parties, other than the  
21 aforesaid process servers and/or investigators, and shall be destroyed by Plaintiffs' counsel at the

22  
23 Estate of Amaro, et al. v. City of Oakland, et al  
24 Case No. C09-01019 WHA  
Stip and ~~Proposed~~ Order re Lt. Paul Berlin (Ret.)

1 final conclusion of the litigation. Furthermore, no records of this information will be retained by  
2 Plaintiffs' counsel upon the final conclusion of the litigation.

3 It is further agreed and stipulated that the deposition of Lt. Berlin may be taken on  
4 shortened time.

5 IT IS SO STIPULATED:

6 Dated: November 4, 2009

\_\_\_\_\_/S/\_\_\_\_\_  
JAMES B. CHANIN  
Attorney for Plaintiffs

8 Dated: November 4, 2009

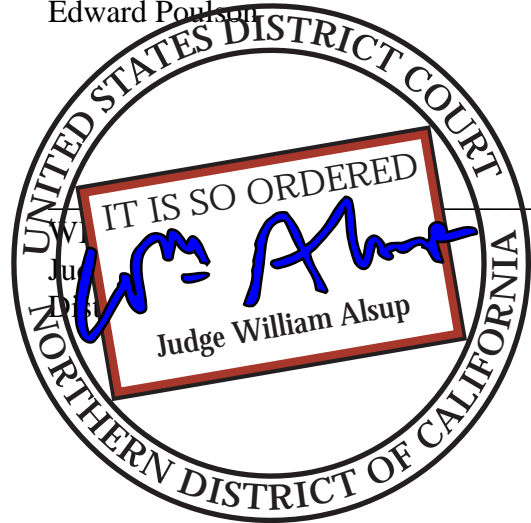
\_\_\_\_\_/S/\_\_\_\_\_  
STEPHEN Q. ROWELL  
Attorney for City of Oakland  
Defendants

10 Dated: November 4, 2009

\_\_\_\_\_/S/\_\_\_\_\_  
JOHN VERBER  
Attorney for Defendant  
Edward Poulson

13 PURSUANT TO STIPULATION,  
14 IT IS SO ORDERED:

15 Dated: November 5 \_\_\_\_, 2009



23 Estate of Amaro, et al. v. City of Oakland, et al  
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Stip and [Proposed] Order re Lt. Paul Berlin (Ret.)