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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO

18 | BILLY J. HATCHER,

Plaintiff,

VS.

21 COUNTY OF ALAMEDA, a governmental
entity; GREGORY J. AHERN, in his capacity
22 as Sheriff for COUNTY OF ALAMEDA;
JEREMY C. LUCHA; JAMES A. RUSSELL;
23 VICTOR GALINDO; VICTOR CABELLO;
MATTHEW NEILL; and VICENTE
24 CLEMENTE; individually and in their
capacity as deputy sheriff's for COUNTY OF
25 ALAMEDA; and DOES 1-25, inclusive,

Defendants.

Case No.: C09-01650 TEH

**STIPULATION OF THE PARTIES AND
ORDER THEREON TO SEAL
CONFIDENTIAL EXHIBITS FILED IN
SUPPORT OF PLAINTIFF'S AMENDED
OPPOSITION TO DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT**

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Plaintiff, BILLY HATCHER, through his counsel of record Gayla B. Libet, Esq. of Law Offices of Gayla B. Libet, and Defendants JEREMY C. LUCHA, JAMES A. RUSSELL, VICTOR GALINDO, VICTOR CABELLO, and MATTHEW NEILL, through their counsel of record Benjamin Thompson, of Haapala, Thompson, & Abern, LLP, stipulate that the following exhibits filed on March 7, 2011 in support of Plaintiff's Amended Opposition to Defendants' Motion for Summary Judgment are marked as confidential. These confidential documents were the subject of a Court Protective Order requiring they be filed under seal. To protect these confidential records, the parties agree that the following documents should be sealed in the court record.

Documents to be sealed are:

1. Exhibit 1 to Plaintiff's Amended Opposition to Defendants' Motion for Summary Judgment, consisting of a 9 page document containing copies of photographs.
2. Exhibit 3 to Plaintiff's Amended Opposition to Defendants' Motion for Summary Judgment, consisting of a 6 page group of Alameda County Sheriff's Office documents.
3. Exhibit 4 to Plaintiff's Amended Opposition to Defendants' Motion for Summary Judgment, consisting of a 55 page Alameda County Sheriff's Office document.
4. Exhibit 9 to Plaintiff's Amended Opposition to Defendants' Motion for Summary Judgment, consisting of a 22 page group of Alameda County Sheriff's Office documents.

The parties agree that this stipulation does not prevent either party from presenting motions in limine on the above referenced materials.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated: April 7, 2011

LAW OFFICES OF GAYLA B. LIBET

By: */s/ Gayla B. Libet
Gayla B. Libet, Esq.
Attorneys For Plaintiff
*Ms. Libet provided her verbal consent that
this document be electronically filed.

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Dated: April 7, 2011

HAAPALA, THOMPSON & ABERN, LLP

By: /s/ Benjamin Thompson
Benjamin A. Thompson
Attorneys For Defendants

ORDER

The Court having considered the Stipulation of the parties and good cause appearing therefore,

IT IS HEREBY ORDERED that Exhibit 1 to Plaintiff's Amended Opposition to Defendants' Motion for Summary Judgment, consisting of a 9 page document containing copies of photographs, Exhibit 3 to Plaintiff's Amended Opposition to Defendants' Motion for Summary Judgment, consisting of a 6 page group of Alameda County Sheriff's Office documents, Exhibit 4 to Plaintiff's Amended Opposition to Defendants' Motion for Summary Judgment, consisting of a 55 page Alameda County Sheriff's Office document, and Exhibit 9 to Plaintiff's Amended Opposition to Defendants' Motion for Summary Judgment, consisting of a 22 page group of Alameda County Sheriff's Office documents, shall be sealed in the Court's records and permanently removed from ECF.

Dated: 04/11/2011

