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Attorney for Plaintiffs  
JESSE JOHNSON and TIM HORTON

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

16 JESSE JOHNSON and TIM HORTON,

17 Plaintiffs,

18 vs.

19 CITY OF ANTIOCH, ANTIOCH POLICE  
20 DEPARTMENT, JAMES HYDE, Chief of  
21 Police, Antioch Police Department, in his  
22 individual and official capacities;  
23 OFFICER ADRIAN GONZALEZ (#4336),  
24 OFFICER AURELIANO MENDES (DOE  
25 1) (#4111), OFFICER JAMES STENGER  
(DOE 2) (#3604), OFFICER RICK SMITH  
(DOE 3) (#2310), DOES 4 THROUGH 5,  
in their individual and official capacities.,,

Defendants.

Case No. C09-03153 JSW

**STIPULATION AND ORDER RE  
TESTIMONY/EVIDENCE OF OFFICER  
MENDES' PERSONNEL FILE**

Trial Date: December 6, 2010

Dept: 19<sup>th</sup> Floor, Courtroom 11

Judge: Hon. Jeffrey S. White

26 The parties, by and through their respective attorneys of record, hereby stipulate that all  
27 evidence and testimony relating to the personnel matter involving Officer Mendes' shall be  
28 sealed pursuant to the Protective Order on file in this matter. The sealable matter includes

STIPULATION AND ORDER RE  
TESTIMONY/EVIDENCE OF OFFICER  
MENDES' PERSONNEL FILE

1 testimony from Officer Mendes, Chief Hyde and any reference to Exhibit 17.

2 Additionally, any counsel who has obtained transcripts of testimony related to Officer  
3 Mendes' personnel matter should treat those portions of the transcripts as confidential and  
4 subject to the Protective Order on file in this matter.  
5

6 SO STIPULATED.  
7

8 Dated: December 14, 2010

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

9 By: /s/ Noah G. Blechman  
10 James V. Fitzgerald, III / Noah G. Blechman  
11 Attorneys for Defendants  
12 City of Antioch, et al.  
13

14 Dated: December 14, 2010

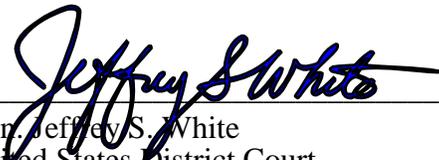
LAW OFFICE OF JIVAKA CANDAPPA

15 By: /s/ Jivaka Candappa  
16 Jivaka Candappa, Esq.  
17 Alanna Coopersmith  
18 Attorney for Plaintiffs Jesse Johnson and Tim Horton

19 By: /s/ Alanna Coopersmith  
20 Jivaka Candappa, Esq.  
21 Alanna Coopersmith  
22 Attorney for Plaintiffs Jesse Johnson and Tim Horton

23 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

24 Date: December 15, 2010

25   
26 Hon. Jeffrey S. White  
27 United States District Court  
28

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