

1 DALE L. ALLEN, JR., # 145279
 LINDA MEYER, # 118190
 2 DIRK D. LARSEN, # 246028
 LOW, BALL & LYNCH
 3 505 Montgomery Street, 7th Floor
 San Francisco, California 94111-2584
 4 Telephone (415) 981-6630
 Facsimile (415) 982-1634

5 Attorneys for Defendants
 6 BAY AREA RAPID TRANSIT DISTRICT;
 GARY GEE in his official capacity as CHIEF OF POLICE
 7 for BAY AREA RAPID TRANSIT DISTRICT (BART);
 DOROTHY DUGGER, in her official capacity
 8 as GENERAL MANAGER for BART; JON WOFFINDEN
 individually and in his official capacity as a police officer
 9 for BART; and EMERY KNUDTSON individually and
 in his official capacity as a police officer for BART

10 Email: dallen@lowball.com
 11 Email: lmeyer@lowball.com
 12 Email: dlarsen@lowball.com

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

16 JACK BRYSON, JR., NIGEL BRYSON,
 MICHAEL GREER, CARLOS REYES AND
 17 FERNANDO ANICETE, JR.,

18 Plaintiff,

19 vs.

20 BAY AREA RAPID TRANSIT DISTRICT; GARY)
 GEE, in his official capacity as CHIEF OF POLICE)
 21 for BAY AREA RAPID TRANSIT DISTRICT)
 (BART); DOROTHY DUGGER, in her official)
 22 capacity as GENERAL MANAGER for BART;)
 JOHANNES MEHSERLE individually and in his)
 23 official capacity as a police officer for BART;)
 ANTHONY PIRONE, individually and in his official)
 24 capacity as a police officer for BART; MARYSOL)
 DOMENICI, individually and in her official capacity)
 25 as a police officer for BART; JON WOFFINDEN)
 individually and in his official capacity as a police)
 26 officer for BART; EMERY KNUDTSON)
 individually and in his official capacity as a police)
 27 officer for BART; and DOES 1-50, inclusive,)

28 Defendants.

CASE NO.: C09-04835 MHP

**[PROPOSED] ORDER
 INSTRUCTING PLAINTIFF
 MICHAEL GREER TO APPEAR
 AT NEXT-NOTICED
 DEPOSITION**

1 TO ALL PARTIES AND COUNSEL OF RECORD:

2 On March 15, 2010, all counsel being present and appeared before the Honorable Judge Marilyn
3 Hall Patel to update the status of the case;

4 The court being so informed that four depositions had been set, coordinating all counsels'
5 calendars, for plaintiff Michael Greer, and all four were vacated and continued the day before based on
6 Mr. Greer's illnesses or, as in the last scheduled deposition of March 12, 2010, for a death in the family,
7 the court issues the following order;

8 It is hereby ordered that after all counsel meet and confer to agree upon a date for the appearance
9 of plaintiff Michael Greer at his deposition, should Mr. Greer fail to appear at his deposition, and the
10 court being so advised, his failure to appear may result in a dismissal of his complaint in the matter of
11 Case No. C09-04835.

12 3/18/2010

13 Honorable Marilyn H. Patel

