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 13 RONALD EL-MALIK CURTIS

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

16 RONALD EL-MALIK CURTIS,
 17 Plaintiff,

18 v.

19 CITY OF OAKLAND, JENNIFER RAY, in her
 20 individual capacity, JOSEPH TORRES, in his
 21 individual capacity, JOHN FARRELL, in his
 22 individual capacity, and GERALD A. SIMON,
 23 CHIEF, in his official and individual capacities,
 24 and DOES 1 through 15,
 25 Defendants.

NO. C10-00358 SI

**STIPULATION AND [PROPOSED]
 ORDER TO FILE PLAINTIFF'S
 SECOND AMENDED COMPLAINT**

26 The parties, by and through their respective counsel of record, agree that Plaintiff
 27 RONALD EL-MALIK CURTIS may file a Second Amended Complaint and Defendants will not
 28 oppose the filing. Therefore, a Motion for Leave to Amend is not required. Good cause exists as
 this stipulation promotes judicial efficiency. This stipulation is without prejudice to Defendants'
 right to file a Motion to Dismiss under Federal Rules of Civil Procedure, Rule 12(b)(6).

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Dated: September 24, 2010

PRICE AND ASSOCIATES

/s/ Pamela Y. Price
PAMELA Y. PRICE, Attorneys for Plaintiff

Dated: September 24, 2010

FOSTER EMPLOYMENT LAW

/s/ Madelyn Jordan-Davis
MADEYLN JORDAN-DAVIS, Attorneys for
Defendants

ORDER

Pursuant to the foregoing stipulation of the parties and good cause appearing
therefore, **IT IS SO ORDERED.**

Dated: _____



HON. SUSAN ILLSTON
UNITED STATES DISTRICT COURT