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7 Attorney for Plaintiff
8 NICK MAKREAS

9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 NICK MAKREAS,

12 Plaintiff,

13 v.

14 FIRST NATIONAL BANK OF NORTHERN

15 CALIFORNIA, a business entity; T.D.

16 SERVICE COMPANY, form unknown;

17 KATHY CASTOR;, an individual; RANDY

18 BRUGONI, an individual; COUNTY OF SAN

19 MATEO; SAN MATEO COUNTY

20 SHERIFF'S OFFICE; SAN MATEO

21 COUNTY SHERIFF GREG MUNKS, in his

22 individual and official capacity; SAN MATEO

23 COUNTY SHERIFF'S DEPUTY STEPHEN

24 DUVALL; SAN MATEO COUNTY

25 SHERIFF'S DEPUTY HOSS, in his individual

26 and official capacity; SAN MATEO COUNTY

27 SHERIFF'S DEPUTY VALENICA, in his

28 individual and official capacity; Employees 1

) **Case No: CV11-02234-JST**

) **STIPULATION AND AGREEMENT TO**
) **TOLL STATUTE OF LIMITATIONS**
) **AGAINST THE COUNTY OF SAN**
) **MATEO; SAN MATEO COUNTY**
) **SHERIFF'S OFFICE; SAN MATEO**
) **COUNTY SHERIFF GREG MUNKS; SAN**
) **MATEO COUNTY SHERIFF'S DEPUTY**
) **STEPHEN DUVALL; SAN MATEO**
) **COUNTY SHERIFF'S DEPUTY HOSS;**
) **and SAN MATEO COUNTY SHERIFF'S**
) **DEPUTY VALENICA AND ~~(PROPOSED)~~**
) **ORDER THEREON**

1 through 25 inclusive; and DOES 26-50;
2 Defendants.
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8 WHEREAS on September 28, 2011, the signatories stipulated and agreed that any statute
9 of limitations governing any claim by plaintiff Nick Makreas against the County of San Mateo,
10 the San Mateo County Sheriff's Department, and San Mateo County Sheriff Greg Munks; San
11 Mateo County Sheriff's Deputy Stephen Duvall; San Mateo County Sheriff's Deputy Hoss; and
12 San Mateo County Sheriff's Deputy Valencia would be tolled for a period of six months from the
13 date of the Court's order approving said stipulation;

14 WHEREAS, on September 29, 2011, the Court issued its Order approving said
15 stipulation and dismissing the defendants without prejudice, and tolled any statute of limitations
16 for a period of six months beyond the date of its order, which was March 29, 2012;

17 WHEREAS, on February 6, 2012, the signatories further stipulated and agreed that any
18 statute of limitations governing any claim by plaintiff Nick Makreas against the County of San
19 Mateo, the San Mateo County Sheriff's Department, and San Mateo County Sheriff Gregg
20 Munks; San Mateo County Sheriff's Deputy Stephen Duvall; San Mateo Sheriff's Deputy Hoss;
21 and San Mateo County Sheriff's Deputy Valencia would be tolled for an additional period of six
22 months, from March 29, 2012 to September 29, 2012;

23 WHEREAS, on September 28, 2012, the signatories further stipulated and agreed that
24 any statute of limitations governing any claim by plaintiff Nick Makreas against the County of
25 San Mateo, the San Mateo County Sheriff's Department, and San Mateo County Sheriff Gregg
26 Munks; San Mateo County Sheriff's Deputy Stephen Duvall; San Mateo Sheriff's Deputy Hoss;
27 and San Mateo County Sheriff's Deputy Valencia would be tolled for an additional period of six
28 months, from September 29, 2012 to March 29, 2013;

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WHEREAS, on October 3, 2012, the Court issued its Order approving said stipulation, and tolled any statute of limitations for a period of six months beyond the date of its order, which is March 29, 2013.

IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES HERETO THROUGH THEIR UNDERSIGNED COUNSEL:

Any statute of limitations governing any claim against defendants County of San Mateo; San Mateo County Sheriff's Office; San Mateo County Sheriff Greg Munks; San Mateo County Sheriff's Deputy Stephen Duvall; San Mateo County Sheriff's Deputy Hoss; and San Mateo County Sheriff's Deputy Valencia shall be tolled for an additional period from March 29, 2013 to September 29, 2013.

Dated: March 28, 2013

/s/ Nelson W. Goodell
NELSON W. GOODELL
The Goodell Law Firm
Attorney for Plaintiff, Nick Makreas

Dated: March 28, 2013

/s/ Eugene Whitlock
EUGENE WHITLOCK
San Mateo County Counsel's Office
Attorney for Defendants, County of San Mateo;
San Mateo County Sheriff's Office; San Mateo
County Sheriff Greg Munks; and San Mateo County
Sheriff's Deputy Stephen Duvall; San Mateo
County Sheriff's Deputy Stephen Valencia

Filer's Attestation: Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, Nelson W. Goodell hereby attests that concurrence in the filing of this document has been obtained.

ORDER

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2 IT IS HEREBY ORDERED THAT any statute of limitations governing any claim that
3 the plaintiff NICK MAKREAS has against defendants County of San Mateo; San Mateo County
4 Sheriff's Office; San Mateo County Sheriff Greg Munks; San Mateo County Sheriff's Deputy
5 Stephen Duvall; San Mateo County Sheriff's Deputy Hoss; and San Mateo County Sheriff's
6 Deputy Valencia shall be tolled for an additional six month period beyond the date that the
7 current stipulation is set to expire, March 29, 2013, and will end on September 29, 2013.
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9 Dated: April 1, 2013

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12 _____
13 THE HON. JOHN S. TIGAR
14 UNITED STATES DISTRICT JUDGE
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