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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

NICK MAKREAS,

Plaintiff,

v.

FIRST NATIONAL BANK OF NORTHERN

CALIFORNIA, a business entity; T.D.

SERVICE COMPANY, form unknown;

KATHY CASTOR;, an individual; RANDY

BRUGONI, an individual; COUNTY OF SAN

MATEO; SAN MATEO COUNTY

SHERIFF'S OFFICE; SAN MATEO

COUNTY SHERIFF GREG MUNKS, in his

individual and official capacity; SAN MATEO

COUNTY SHERIFF'S DEPUTY STEPHEN

DUVALL; SAN MATEO COUNTY

SHERIFF'S DEPUTY HOSS, in his individual

and official capacity; SAN MATEO COUNTY

SHERIFF'S DEPUTY VALENICA, in his

individual and official capacity; Employees 1

through 25 inclusive; and DOES 26-50;

Defendants.

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

) **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 WITHOUT**  
) **PREJUDICE AND ~~PROPOSED~~ ORDER**  
) **THEREON**

1 WHEREAS on September 28, 2011, the signatories stipulated and agreed that any of  
2 statute of limitations governing any claim by plaintiff Nick Makreas against the County of San  
3 Mateo, the San Mateo County Sheriff's Department, and San Mateo County Sheriff Greg  
4 Munks; San Mateo County Sheriff's Deputy Stephen Duvall; San Mateo County Sheriff's  
5 Deputy Hoss; and San Mateo County Sheriff's Deputy Valencia would be tolled for a period of  
6 six months from the date of the Court's order approving said stipulation;

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

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

12 Any statute of limitations governing any claim against defendants County of San Mateo;  
13 San Mateo County Sheriff's Office; San Mateo County Sheriff Greg Munks; San Mateo County  
14 Sheriff's Deputy Stephen Duvall; San Mateo County Sheriff's Deputy Hoss; and San Mateo  
15 County Sheriff's Deputy Valencia shall be tolled for an additional period from February 1, 2012  
16 until September 29, 2012.

17  
18 Dated: February 1, 2012

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

23 Dated: February 2, 2012

24 /s/ Eugene Whitlock  
25 EUGENE WHITLOCK  
26 San Mateo County Counsel's Office  
27 Attorney for Defendants, County of San Mateo;  
28 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

**ORDER**

1  
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, 2012, and will end on September 29, 2012.  
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9 Dated: Dated: February 7, 2012

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11 THE HON. JEFFREY S. WHITE  
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