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 10 DAVID PRYOR aka LATIYA PRYOR

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

13 DAVID J. PRYOR aka LATIYA PRYOR,)
 14)
 15 Plaintiff,)
 16)
 17 v.)
 18)
 19 CITY AND COUNTY OF SAN)
 20 FRANCISCO; SAN FRANCISCO POLICE)
 21 DEPARTMENT; SAN FRANCISCO)
 22 POLICE CHIEF GREG SUHR, individually)
 23 and in his official capacity; SAN)
 24 FRANCISCO SHERIFF DEPARTMENT;)
 25 former San Francisco Sheriff, MICHAEL)
 26 HENNESSY, individually and in his official)
 27 capacity; San Francisco Acting Sheriff,)
 28 VICKI HENNESSY, in her official capacity;)
 DEPUTY SHERIFF SUTTER; DEPUTY)
 SHERIFF MARTINEZ; and DOES 1 to 100.)
 Defendants.)

Case No. C-12-02696-EDL

(PROPOSED)
STIPULATION AND ORDER TO
ALLOW PLAINTIFF TO FILE A FIRST
AMENDED COMPLAINT TO ADD
SFSD DEPUTY CURLEY, STAR 1849,
SFSD DEPUTY GRANT, STAR 1343,
SFSD DEPUTY ROLD, STAR 2087,
SFPD OFFICER MACMAHON, STAR
1932, AND SFPD OFFICER FOLTZ,
STAR 1971 AS DEFENDANTS AND TO
CLARIFY ALLEGATIONS IN THE
COMPLAINT AS AGREED BY THE
PARTIES.

Date: January 29, 2013
 Time: 9:00 a.m.
 Dept.:

STIPULATION

WHEREAS Plaintiff has identified defendants who were previously named in the litigation as doe defendants.

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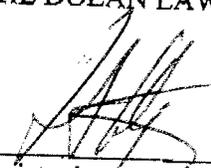
WHEREAS the parties have met and conferred and Plaintiff has agreed to plead certain allegations with additional specificity and to remove certain previously named defendants in their individual capacity.

THE PARTIES HEREBY STIPULATE that Plaintiff may timely file the First Amended Complaint that is attached, hereto, as Exhibit "A." The First Amended Complaint identifies defendants who were previously identified as doe defendants. It also clarifies allegations Plaintiff's complaint and releases certain defendants in their individual capacity. Nothing in this stipulation is intended to limit or restrict any defendants' right to appropriately challenge the factual or legal claims in the First Amended Complaint.

SO STIPULATED:

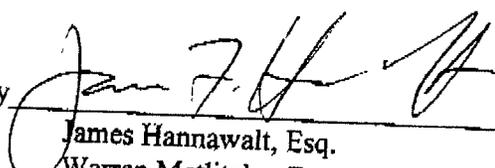
Dated: February 9, 2013

THE DOLAN LAW FIRM

By 
Christopher B. Dolan, Esq.
Quinton B. Cutlip, Esq.
Attorneys for Plaintiff

Dated: February 8, 2013

SAN FRANCISCO CITY ATTORNEY

By 
James Hannawalt, Esq.
Warren Metlitzky, Esq.
Attorneys for Defendants

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~~PROPOSED~~
ORDER

Having considered the stipulation of the Parties, the Court finds good cause to allow Plaintiff to file the First Amended Complaint that is attached as Exhibit "A" to this stipulation and order. Plaintiff shall promptly file the First Amended Complaint. Defendants shall respond within the time period set by the Federal Rules of Civil Procedure.

The hearing on Plaintiff's Motion to file a First Amended Complaint, currently set for February 19, 2013, is off calendar.

Dated: February 11, 2013

