

1 **J. GARY GWILLIAM (SBN 33430)**  
 2 **RANDALL E. STRAUSS (SBN 168363)**  
 3 **JAYME L. BURNS (SBN 273159)**  
**Gwilliam, Ivary, Chiosso, Cavalli & Brewer**  
**1999 Harrison St. Ste. 1600**  
**Oakland, CA 94612**  
 4 **Telephone: (510) 832-5411**  
**Facsimile: (510) 832-1918**  
 5 **Email: ggwilliam@giccb.com**  
**rstrauss@giccb.com**

6 **Attorneys for Plaintiff**

7  
 8 **UNITED STATES DISTRICT COURT FOR THE**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**

11 **MICHAEL GRESSETT,**

12 **Plaintiff,**

13 **vs.**

14 **CONTRA COSTA COUNTY; CONTRA**  
 15 **COSTA COUNTY DISTRICT**  
 16 **ATTORNEYS' OFFICE; CITY OF**  
 17 **MARTINEZ; CITY OF MARTINEZ**  
 18 **POLICE DEPARTMENT; STATE OF**  
 19 **CALIFORNIA; THE OFFICE OF THE**  
 20 **ATTORNEY GENERAL FOR THE**  
 21 **STATE OF CALIFORNIA; ROBERT**  
 22 **KOCHLY; PAUL SEQUEIRA; BRIAN**  
 23 **BAKER; GENE GREENWALD; DARRYL**  
 24 **JACKSON; PAUL MULLIGAN; TOM**  
 25 **SIMONETTI; ERIC GHISLETTA; JON**  
 26 **SYLVIA; JOYCE BLAIR; PETER**  
 27 **FLORES; WILLIAM DANIEL**  
 28 **O'MALLEY; TOM MCKENNA;**  
**O'MALLY & MCKENNA LAW OFFICE**  
**and DOES 1-100,**

**Defendant**

**Case No.: 3:12-cv-03798-EMC**

**Stipulation to Continue Hearing on Motions to Dismiss and Briefing Schedule**

**Date: ~~September 28, 2012~~ Oct. 5, 2012**

**Time: 1:30 p.m.**

**Courtroom: 5, 17<sup>th</sup> Floor**

**Judge: Hon. Edward M. Chen**

1 THE PARTIES, BY AND THROUGH THEIR ATTORNEYS OF RECORD, HEREBY  
2 STIPULATE AS FOLLOWS:

3 The parties have agreed to continue the hearing date on the motions to dismiss filed by all  
4 Defendants to September 28, 2012 at 1:30 p.m.

5 Plaintiff will file his oppositions to the City of Martinez' et al. motion to dismiss on  
6 August 17, 2012. Defendant City of Martinez will file its reply on August 24, 2012.

7 Plaintiff will file his oppositions to Defendant's Contra Costa County et al, Tom  
8 McKenna, Dan O'Malley, and Defendant State of California by August 31, 2012. Defendants  
9 will file their replies on September 14, 2012. October 5, 2012

10 The hearing on all motions is continued from September 7, 2012 to ~~September 28, 2012~~  
11 at 1:30 p.m.

12 The parties agree that this stipulation is valid when signed in counterparts.

13  
14 IT IS SO STIPULATED.

15 DATED:

GWILLIAM, IVARY, CHIOSSO,  
CAVALLI & BREWER

17  
18 By: 

J. GARY GWILLIAM  
RANDALL E. STRAUSS  
Attorneys for Plaintiff

19  
20  
21 DATED:

LOW, BALL & LYNCH

22  
23  
24 By: \_\_\_\_\_

DALE L. ALLEN, JR.  
DIRK D. LARSEN  
KEVIN P. ALLEN  
Attorneys for Defendants

25  
26  
27 City of Martinez, Tom Simonetti, Eric Ghisletta, and Jon Sylvia

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14 IF IS SO STIPULATED.

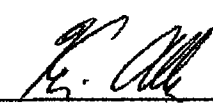
15 DATED:

16 GWILLIAM, IVARY, CHIOSSO,  
17 CAVALLI & BREWER

18 By: \_\_\_\_\_  
19 J. GARY GWILLIAM  
20 RANDALL E. STRAUSS  
21 Attorneys for Plaintiff

22 DATED: August 3, 2012

23 LOW, BALL & LYNCH

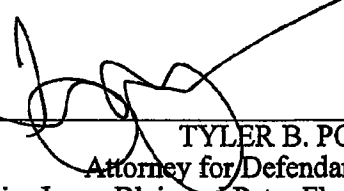
24 By:   
25 DALE L. ALLEN, JR.  
26 DIRK D. LARSEN  
27 KEVIN P. ALLEN  
28 Attorneys for Defendants

City of Martinez, Tom Simonetti, Eric Ghisletta, and Jon Sylvia

*City of Martinez  
Police Department*

ATTORNEY GENERAL FOR THE STATE OF CALIFORNIA

1  
2 DATED: 8/3/12

By:   
TYLER B. PONG  
Attorney for Defendants  
State of California, Joyce Blair and Peter Flores

6 MCNAMARA, NEY, BEATTY, SLATTERY,  
7 BORGES & AMBACHER LLP

8 DATED:

9 By: \_\_\_\_\_  
10 JAMES V. FITZGERALD  
11 Attorney for Defendant Tom McKenna

12 BOLEY LAW

13 DATED:

14 By: \_\_\_\_\_  
15 TODD BOLEY  
16 Attorney for Defendants  
17 Contra Costa County, Contra Costa County District Attorney's Office  
18 Robert Kochly, Paul Sequeira, Brian Baker, Gene Greenwald, Darryl Jackson, Paul Mulligan

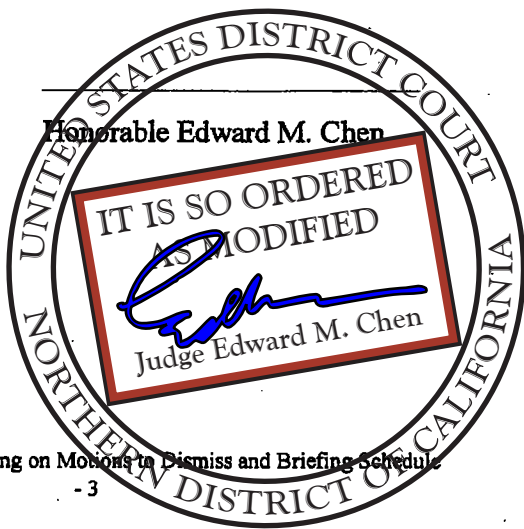
19 GIBBONS & CONLEY

20 DATED:

21 By: \_\_\_\_\_  
22 Austin R. Gibbons  
23 Attorney for Defendant  
24 Dan O'Malley

25 IT IS SO ORDERED.

26 DATED: 8/13/12



ATTORNEY GENERAL FOR THE STATE OF CALIFORNIA

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DATED:

By: \_\_\_\_\_  
TYLER B. POND  
Attorney for Defendants  
State of California, Joyce Blair and Peter Flores

MCNAMARA, NEY, BEATTY, SLATTERY,  
BORGES & AMBACHER LLP

DATED:

By: \_\_\_\_\_  
JAMES V. FITZGERALD  
Attorney for Defendant Tom McKenna

BOLEY LAW

DATED:

By: /s/ Todd Boley  
TODD BOLEY  
Attorney for Defendants

Contra Costa County, Contra Costa County District Attorney's Office  
Robert Kochly, Paul Sequeira, Brian Baker, Gene Greenwald, Darryl Jackson, Paul Mulligan

GIBBONS & CONLEY

DATED:

By: \_\_\_\_\_  
Austin R. Gibbons  
Attorney for Defendant  
Dan O'Malley

IT IS SO ORDERED.

\_\_\_\_\_  
Honorable Edward M. Chen

DATED:

ATTORNEY GENERAL FOR THE STATE OF CALIFORNIA


1  
2 DATED:

3 By: \_\_\_\_\_

4 TYLER B. PON  
5 Attorney for Defendants  
6 State of California, Joyce Blair and Peter Flores

7 MCNAMARA, NEY, BEATTY, SLATTERY,  
8 BORGES & AMBACHER LLP

9 DATED: 8/3/12

10 By:   
11 JAMES V. FITZGERALD  
12 Attorney for Defendant Tom McKenna

13 BOLEY LAW

14 DATED:

15 By: \_\_\_\_\_

16 TODD BOLEY  
17 Attorney for Defendants  
18 Contra Costa County, Contra Costa County District Attorney's Office  
19 Robert Kochly, Paul Sequeira, Brian Baker, Gene Greenwald, Darryl Jackson, Paul Mulligan

20 GIBBONS & CONLEY

21 DATED:

22 By: \_\_\_\_\_

23 Austin R. Gibbons  
24 Attorney for Defendant  
25 Dan O'Malley

26 IT IS SO ORDERED.

27 DATED:

28 \_\_\_\_\_  
Honorable Edward M. Chen

ATTORNEY GENERAL FOR THE STATE OF CALIFORNIA

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2 DATED:

3 By: \_\_\_\_\_  
4 TYLER B. POND  
5 Attorney for Defendants  
6 State of California, Joyce Blair and Peter Flores

7 DATED:

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MCNAMARA, NEY, BEATTY, SLATTERY,  
BORGES & AMBACHER LLP  
By: \_\_\_\_\_  
JAMES V. FITZGERALD  
Attorney for Defendant Tom McKenna

DATED:

BOLEY LAW  
By: \_\_\_\_\_  
TODD BOLEY  
Attorney for Defendants  
Contra Costa County, Contra Costa County District Attorney's Office  
Robert Kochly, Paul Sequeira, Brian Baker, Gene Greenwald, Darryl Jackson, Paul Mulligan

DATED: *6 August 12*

GIBBONS & CONLEY  
By: *Austin R. Gibbons*  
Austin R. Gibbons  
Attorney for Defendant  
Dan O'Malley

IT IS SO ORDERED.

DATED:

\_\_\_\_\_  
Honorable Edward M. Chen