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                 Attorney for Plaintiff
              6
                 LANE BAULDRY
              7
                                  IN THE UNITED STATES DISTRICT COURT
              8
                               FOR THE NORTHERN DISTRICT OF CALIFORNIA
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                                                             Case No.: 3:12-cv-03943-CRB
             11
                  LANE BAULDRY,
                                                             AMENDED
             12
                                     Plaintiff
                                                             STIPULATION AND PROPOSED
                                                             ORDER REGARDING INITIAL
             13
                                                             DISCOVERY AND DISPOSITIVE
                                                             MOTIONS
             14
                  TOWN OF DANVILLE, COUNTY OF
                  CONTRA COSTA, CITY OF
             15
                                                             Date Action Filed: July 26, 2012
                  PIEDMONT, Government Entities,
                                                             Trial Date: Not Set
                  MONA DAGGETT, CHRISTOPHER
             16
                  BUTLER, DEPUTY STEPHEN
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                  TANABE, DEPUTY TOM
                  HENDERSON, SERGEANT ANDY
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                  WELLS and DOES 1 to 50, inclusive,
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                                       Defendants.
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                       IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff LANE
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                 BAULDRY ("Plaintiff") and Defendants COUNTY OF CONTRA COSTA, CITY OF
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                 PIEDMONT, Government Entities, MONA DAGGETT, CHRISTOPHER BUTLER,
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                 DEPUTY STEPHEN TANABE, DEPUTY TOM HENDERSON, SERGEANT ANDY
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             26
                 WELLS ("Defendants") (collectively, "Parties"), through their respective counsel of
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                 record, as follows
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THE HALEY LAW OFFICES
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                     Amended Stipulation And Proposed Order Regarding Initial Discovery and Dispositive Motions
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The Parties agree it is in the interest of justice and judicial economy to disclose and attempt to adjudicate certain dispositive motions at the earliest opportunity. To that end, the Parties hereby agree:

- 1. Discovery, including depositions, related to the dispositive motions identified by the parties below in paragraph 5 will be completed by October 17, 2014.
- 2. Depositions taken during this initial discovery period will be limited to topics relevant to the identified dispositive motions only; however, the Parties can agree to expand deposition topics, if appropriate.
- 3. Initial dispositive motions will be filed no later than November 1, 2014. This order does not preclude the filing of any further dispositive motions, as appropriate, after this date.
 - 4. Hearings on initial dispositive motions will be heard on December 12, 2014.
- 5. The Parties intend to file dispositive motions. The following initial dispositive motions are anticipated:

PLAINTIFF

Plaintiff intends to file a motion for partial summary judgment regarding whether Deputy Tanabe was acting "within the scope of his . . . employment as an employee of the public entity", pursuant to Government Code Section 825, at all relevant times set forth in Plaintiff's Complaint.

DEFENDANTS

All defendants intend to bring motions related the existence of liability under *Monell*; the application of Qualified Immunity; and the legality of the arrest at issue.

Defendant County of Contra Costa and Thomas Henderson intend to raise the following additional issues in their initial dispositive motions: 1) whether there has been a violation of Plaintiff's rights under the Fourteenth Amendment of the U.S. Constitution; 2) whether Plaintiff has a viable claim for conspiracy respecting any alleged violation of his constitutional rights; and 3) the immunities provided by California Penal Code sections 836.5 and 847(b) and California Government Code section 821.6.

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1	To the extent that any party wishes to designate additional issues to be raised in the		
2	initial dispositive motions, that party must do so by notifying the other parties of such		
3	additional issues in writing by July 11, 2014.		
4	6. The Parties further agree that any election not to file or not to designate		
5	dispositive motions within the above-referenced timeframe does not preclude the ability to		
6	file a dispositive motion(s) at a later date.		
7	IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD:		
8	Dated: July 2, 2014	THE HALEY LAW OFFICES, P.C.	
9			
10	Ву:	/s/Matthew D. Haley	
11	۵٫۰	Matthew D. Haley, Esq.	
12		Attorneys for Plaintiff Lane Bauldry	
13	Dated: July 2, 2014	COUNTY OF CONTRA COSTA	
14			
15	Ву:	/s/ D. Cameron Baker	
16		D. Cameron Baker, Esq. Attorneys for Defendants	
17		County of Contra Costa Deputy Tom Henderson	
18	Dated: July 2, 2014 ALLEN, GLAESSI	NER, HAZELWOOD AND WERTH	
19	Pated. July 2, 2011	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
20			
21	Ву:	/s/ Dale Allen, Esq	
22		Dale Allen. Esq. Attorney for Defendants	
23		City of Piedmont Sergeant Andy Wells	
24		2 g	
25	Dated: July 2, 2014	DUANE MORRIS, LLP	
26	D	/a/Allagra A. Tanag	
27	Ву:	/s/ <u>Allegra A. Jones</u> Allegra A. Jones, Esq.	
28 FFICES		Attorney for Defendant Mona Daggett	

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1	Dated: July 2, 2014	STEELE, GEORGE, SCHOFIELD & RAMOS
2		
3		
4		By: /s/ Geoffrey W. Steele Geoffrey W. Steele, Esq.
5		Attorney for Defendant Christopher Butler
6		
7	Dated: July 2, 2014	EDRINGTON, SCHIRMER & MURPHY
8		
9		By: /s/Keith R. Schirmer
10		Keith R. Schirmer, Esq.
11		Attorney for Defendant Deputy Stephen Tanabe
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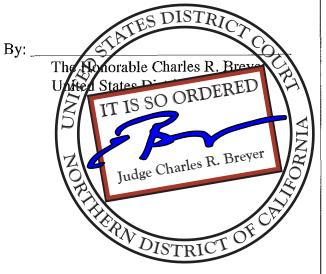
IT IS ORDERED AS FOLLOWS:

Pursuant to the above Stipulation,

- 1. Discovery, including depositions, related to the dispositive motions identified by the Parties by May 16, 2014 pursuant to their Stipulation will be completed by October 17, 2014.
- 2. Depositions taken during this initial discovery phase will be limited to topics relevant to the identified dispositive motions only; however, the Parties can agree to expand deposition topics, if appropriate.
- 3. Initial dispositive motions will be filed no later than November 1, 2014. This order does not preclude the filing of any further dispositive motions, as appropriate, after this date.
 - 4. Hearings on initial dispositive motions will be heard on December 12, 2014

Dated:

July 10, 2014



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