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Attorney for Plaintiff
 LANE BAULDRY

**IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA**

11	LANE BAULDRY,)	Case No.: 3:12-cv-03943-CRB
12	Plaintiff)	
13	v.)	AMENDED
14	TOWN OF DANVILLE, COUNTY OF)	STIPULATION AND PROPOSED
15	CONTRA COSTA, CITY OF)	ORDER REGARDING INITIAL
16	PIEDMONT, Government Entities,)	DISCOVERY AND DISPOSITIVE
17	MONA DAGGETT, CHRISTOPHER)	MOTIONS
18	BUTLER, DEPUTY STEPHEN)	
19	TANABE, DEPUTY TOM)	Date Action Filed: July 26, 2012
20	HENDERSON, SERGEANT ANDY)	Trial Date: Not Set
21	WELLS and DOES 1 to 50, inclusive,)	
	Defendants.)	

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff LANE BAULDRY ("Plaintiff") and Defendants COUNTY OF CONTRA COSTA, CITY OF PIEDMONT, Government Entities, MONA DAGGETT, CHRISTOPHER BUTLER, DEPUTY STEPHEN TANABE, DEPUTY TOM HENDERSON, SERGEANT ANDY WELLS ("Defendants") (collectively, "Parties"), through their respective counsel of record, as follows

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1 The Parties agree it is in the interest of justice and judicial economy to disclose and
2 attempt to adjudicate certain dispositive motions at the earliest opportunity. To that end, the
3 Parties hereby agree:

4 1. Discovery, including depositions, related to the dispositive motions identified
5 by the parties below in paragraph 5 will be completed by October 17, 2014.

6 2. Depositions taken during this initial discovery period will be limited to topics
7 relevant to the identified dispositive motions only; however, the Parties can agree to
8 expand deposition topics, if appropriate.

9 3. Initial dispositive motions will be filed no later than November 1, 2014. This
10 order does not preclude the filing of any further dispositive motions, as appropriate, after
11 this date.

12 4. Hearings on initial dispositive motions will be heard on December 12, 2014.

13 5. The Parties intend to file dispositive motions. The following initial
14 dispositive motions are anticipated:

15 **PLAINTIFF**

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

20 **DEFENDANTS**

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

23 Defendant County of Contra Costa and Thomas Henderson intend to raise the
24 following additional issues in their initial dispositive motions: 1) whether there has been a
25 violation of Plaintiff's rights under the Fourteenth Amendment of the U.S. Constitution; 2)
26 whether Plaintiff has a viable claim for conspiracy respecting any alleged violation of his
27 constitutional rights; and 3) the immunities provided by California Penal Code sections
28 836.5 and 847(b) and California Government Code section 821.6.

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.

10 By: /s/Matthew D. Haley
11 Matthew D. Haley, Esq.
12 Attorneys for Plaintiff Lane Bauldry

13 Dated: July 2, 2014

COUNTY OF CONTRA COSTA

15 By: /s/ D. Cameron Baker
16 D. Cameron Baker, Esq.
17 Attorneys for Defendants
18 County of Contra Costa
Deputy Tom Henderson

19 Dated: July 2, 2014

ALLEN, GLAESSNER, HAZELWOOD AND WERTH

21 By: /s/ Dale Allen, Esq
22 Dale Allen, Esq.
23 Attorney for Defendants
24 City of Piedmont
Sergeant Andy Wells

25 Dated: July 2, 2014

DUANE MORRIS, LLP

26 By: /s/Allegra A. Jones
27 Allegra A. Jones, Esq.
28 Attorney for Defendant
Mona Daggett

1 Dated: July 2, 2014

STEELE, GEORGE, SCHOFIELD & RAMOS

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By: /s/ Geoffrey W. Steele

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Geoffrey W. Steele, Esq.

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Attorney for Defendant

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Christopher Butler

7 Dated: July 2, 2014

EDRINGTON, SCHIRMER & MURPHY

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By: /s/ Keith R. Schirmer

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Keith R. Schirmer, Esq.

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Attorney for Defendant

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Deputy Stephen Tanabe

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1 **IT IS ORDERED AS FOLLOWS:**

2 Pursuant to the above Stipulation,

3 1. Discovery, including depositions, related to the dispositive motions identified
4 by the Parties by May 16, 2014 pursuant to their Stipulation will be completed by October
5 17, 2014.

6 2. Depositions taken during this initial discovery phase will be limited to topics
7 relevant to the identified dispositive motions only; however, the Parties can agree to expand
8 deposition topics, if appropriate.

9 3. Initial dispositive motions will be filed no later than November 1, 2014. This
10 order does not preclude the filing of any further dispositive motions, as appropriate, after
11 this date.

12 4. Hearings on initial dispositive motions will be heard on December 12, 2014

14 Dated: July 10, 2014

By: _____

The Honorable Charles R. Breyer
United States District Court

