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9 Attorneys for Plaintiff  
 Scott Olsen

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN FRANCISCO DIVISION

13 SCOTT OLSEN,  
 14 Plaintiff,  
 15 vs.  
 16 CITY OF OAKLAND; et al.,  
 17 Defendants.

) CASE NO: C12-06333 SI  
 )  
 ) **STIPULATION AND [PROPOSED]**  
 ) **ORDER TO CORRECT CAPTION PAGE**  
 ) **ON FIRST AMENDED COMPLAINT**  
 ) **AND TO CORRECT SUMMONS ON**  
 ) **FIRST AMENDED COMPLAINT**  
 ) **Current Hearing Date: 9.13.13**  
 ) **Proposed Hearing Date: 9.27.13**  
 ) **Time: 2:30 p.m.**  
 ) **Courtroom: 10, 19<sup>th</sup> Floor**  
 ) **The Honorable Susan Illston**  
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1           Whereas, the caption page to the Plaintiff's First Amended Complaint inadvertently  
2 omitted reference to Defendant Roland Holmgren, who was joined as a defendant in this action  
3 pursuant to stipulation and is referred to in the body of said First Amended Complaint; and  
4 whereas Defendant Roland Holmgren was also inadvertently omitted from the Summons on the  
5 Plaintiff's First Amended Complaint,

6           THE PARTIES, BY AND THROUGH THEIR RESPECTIVE COUNSEL OF  
7 RECORD, DO HEREBY STIPULATE AND AGREE THAT these omissions shall be corrected  
8 as follows:

9           1. The corrected caption page to the Plaintiff's First Amended Complaint, which is  
10 attached and incorporated herein by reference as Exhibit 1, shall be considered to substitute for  
11 all purposes for the caption page only on the Plaintiff's First Amended Complaint that was filed  
12 with the Court on September 11, 2013. In all other respects, the Plaintiff's First Amended  
13 Complaint shall be that which was filed with the Court on September 11, 2013; and,

14           2. The Corrected Summons on the First Amended Complaint, that is attached and  
15 incorporated herein by reference as Exhibit 2, shall substitute for all purposes for the Summons  
16 previously issued by the Court on the First Amended Complaint on September 13, 2013, and  
17 shall be issued in said corrected form by the Clerk of the Court.

17 IT IS SO STIPULATED AND AGREED:

18 Dated: September 26, 2013

\_\_\_\_\_/S/\_\_\_\_\_  
JAMES B. CHANIN  
Attorney for Plaintiff

19  
20 Dated: September 26, 2013

\_\_\_\_\_/S/\_\_\_\_\_  
WILLIAM E. SIMMONS  
Attorney for City of Oakland Defendants

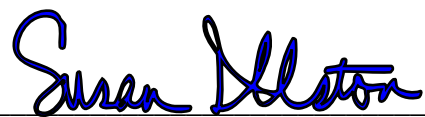
21  
22 Dated: September 26, 2013

\_\_\_\_\_/S/\_\_\_\_\_  
JOHN J. VERBER  
Attorney for Defendant Robert Roche

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PURSUANT TO STIPULATION,  
IT IS SO ORDERED:

Dated: September 26, 2013



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SUSAN ILLSTON  
Judge of the United States District Court

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NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12 SCOTT OLSEN, ) CASE NO: C12-06333 SI  
)

13 Plaintiff, )  
)

14 vs. )  
)

15 CITY OF OAKLAND; HOWARD JORDAN, )  
individually and in his capacity as Chief of )  
16 Police for the City of Oakland; ERIC )  
BRESHEARS, individually and in his capacity )  
17 as a Deputy Chief of Police for the City of )  
Oakland; PAUL FIGUEROA, individually and )  
18 in his capacity as a Captain of Police for the )  
City of Oakland; ROLAND HOLMGREN )  
19 individually and in his capacity as a Sergeant )  
of Police for the City of Oakland; ROBERT )  
20 ROCHE or DOE 1, individually and in his )  
capacity as a police officer for the City of )  
21 Oakland; DOES 2-100, inclusive, )  
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22 Defendants. )  
)  
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**CORRECTED CAPTION PAGE TO  
FIRST AMENDED COMPLAINT  
FOR DAMAGES  
(Violation of Civil Rights,  
42 U.S.C. Section 1983; and  
Supplemental Claims)**

**JURY TRIAL DEMANDED**

24 FIRST AMENDED COMPLAINT [CORRECTED CAPTION PAGE]  
Olsen v. City of Oakland, et al., Case No. C12-06333 SI 1

EXHIBIT 1

UNITED STATES DISTRICT COURT

for the

Northern District of California

Scott Olsen,

Plaintiff(s)

v.

Civil Action No. C12-06333 SI

City of Oakland; HOWARD JORDAN, individually and in his capacity as Chief of Police for the City of Oakland; ERIC BRESHEARS, individually and in his capacity as a Deputy Chief of Police for the City of Oakland; PAUL FIGUEROA, individually and in his capacity as a Captain of Police for the City of Oakland; ROLAND HOLMGREN, individually and in his capacity as Sergeant of Police for the City of Oakland; ROBERT ROCHE or DOE 1, individually and in his capacity as a police officer for the City of Oakland; DOES 2-100, inclusive,

Defendant(s)

CORRECTED SUMMONS IN A CIVIL ACTION ON FIRST AMENDED COMPLAINT

To: (Defendant's name and address)

City of Oakland, c/o City of Oakland City Attorney's Office, One Frank H. Ogawa Plaza, Sixth Floor, Oakland, California [See Attachment 1 for additional defendants and addresses]

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

JAMES B. CHANIN (SBN# 76043), JULIE M. HOUK (SBN# 114968), Law Offices of James B. Chanin, 3050 Shattuck Avenue, Berkeley, California 94705, Telephone: 510.848.4752; FaX: 510.848.5819, Email: jbcofc@aol.com, juliemhouk@aol.com; RACHEL LEDERMAN (SBN 130192), Rachel Lederman & Alexis C. Beach, Attorneys at Law 558 Capp Street, San Francisco, CA 94110, Telephone: 415.282.9300; Facsimile: 415.285.5066, Email: rachel@beachledermanlaw.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

EXHIBIT 2

**ATTACHMENT 1 TO SUMMONS ON FIRST AMENDED COMPLAINT**

Additional Defendants and Address:

HOWARD JORDAN, individually and in his capacity as Chief of Police for the City of Oakland; ERIC BRESHEARS, individually and in his capacity as a Deputy Chief of Police for the City of Oakland; PAUL FIGUEROA, individually and in his capacity as a Captain of Police for the City of Oakland; ROLAND HOLMGREN, individually and in his capacity as a Sergeant of Police for the City of Oakland; ROBERT ROCHE or DOE 1, individually and in his capacity as a police officer for the City of Oakland; c/o City of Oakland Police Department, 455 7th Street, Oakland, California.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. C12-06333 SI

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*: \_\_\_\_\_  
\_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*