

1 DENNIS CUNNINGHAM (State Bar #112910)  
 BEN ROSENFELD (State Bar #203845)  
 2 Law Office of Dennis Cunningham  
 115 ½ Bartlett Street  
 3 San Francisco, California 94110  
 Telephone: (415) 285-8091  
 4 Facsimile: (415) 285-8092  
 E-Mail: denniscunninghamlaw@gmail.com  
 5 E-Mail: ben.rosenfeld@comcast.net

6 GERALD SINGLETON (State Bar #208783)  
 Law Offices of Gerald Singleton  
 560 N. Coast Hwy 101, Suite 4A  
 7 Encinitas, California 92024  
 Telephone: (760) 697-1330  
 8 Facsimile: (760) 697-1329  
 E-Mail: gerald@geraldsingleton.com

9 **Attorneys for Plaintiff**

10 DENNIS J. HERRERA, State Bar #139669  
 City Attorney  
 11 CHERYL ADAMS, State Bar #164194  
 Chief Trial Deputy  
 12 MICHAEL GERCHOW, State Bar #256993  
 Deputy City Attorney  
 13 Fox Plaza  
 1390 Market Street, 6th Floor  
 14 San Francisco, California 94102-5408  
 Telephone: (415) 554-3936  
 15 Facsimile: (415) 554-3837  
 16 E-Mail: michael.gerchow@sfgov.org

17 **Attorneys for Defendant**

CITY AND COUNTY OF SAN FRANCISCO

18  
 19 UNITED STATES DISTRICT COURT  
 20 NORTHERN DISTRICT OF CALIFORNIA

21 DESHON MARMAN,

22 Plaintiff,

23 vs.

24 U.S. AIRWAYS, INC., an Arizona  
 Corporation, JOHN DOE 1 (Pilot), JANE DOE  
 25 2, John & Jane Does 3-10 (airline employees);  
 Officer CALVIN TOM, #821, police officer,  
 26 John & Jane DOES 11-30 (police officers  
 and/or municipalities), and the CITY AND  
 27 COUNTY OF SAN FRANCISCO

28 Defendants.

Case No. 13 CV 2755 CRB

**STIPULATED VOLUNTARY DISMISSAL  
 WITH PREJUDICE  
 F.R.C.P. 41(a)(1)(A)(ii)**

Further CMC: February 21, 2014  
 Time: 8:30 a.m.  
 Place: Courtroom 6, 17th Fl.  
 San Francisco, CA 94102

1 The undersigned parties, through their counsel, STIPULATE and AGREE that plaintiff Deshon  
2 Marman will and hereby does voluntarily dismiss with prejudice defendants Calvin Tom, the City and  
3 County of San Francisco (including its employees, agents, predecessors, successors and affiliate  
4 entities), and John and Jane Does 11-30 (police officers and/or municipalities) (hereafter the “San  
5 Francisco Defendants”) under the following circumstances:

6 1. Plaintiff Deshon Marman filed this lawsuit seeking money damages against *inter alia*,  
7 the San Francisco Defendants, as a result of a June 15, 2011 incident at the San Francisco Airport;

8 2. Plaintiff and the San Francisco Defendants, through their authorized representatives,  
9 reached an agreement on the terms of a settlement with respect to the San Francisco Defendants,  
10 which terms have been captured on a separate settlement agreement signed by plaintiff and approved  
11 by counsel for the San Francisco Defendants and Plaintiff’s counsel.

12 3. Defendants US Airways, Inc., Captain Dominic Currier, Phyllis Guss-Davis, and  
13 Johanna Ellison (the “Airline Defendants”) have agreed to this Dismissal in light of FRCP  
14 41(a)(1)(A)(ii)’s requirement that voluntary dismissals be “signed by all parties who have appeared.”  
15 Marman, the San Francisco Defendants, and the Airline Defendants all understand and agree that the  
16 Airline Defendants’ execution of this Dismissal is without prejudice or effect as to any rights,  
17 defenses, obligations, or arguments whatsoever that may exist between Marman and the Airline  
18 Defendants or between the San Francisco Defendants and the Airline Defendants.

19 THEREFORE, the parties hereby STIPULATE and AGREE that defendants Officer Calvin  
20 Tom, the City and County of San Francisco (including its agents, employees, agents, predecessors,  
21 successors and affiliate entities), and John and Jane Does 11-30 (police officers and/or municipalities)  
22 be DISMISSED from this action WITH PREJUDICE.

23 IT IS SO STIPULATED.

24 Dated: February 20, 2014

LAW OFFICE OF DENNIS CUNNINGHAM  
SINGLETON LAW FIRM

25  
26 By: /s/ Dennis Cunningham  
DENNIS CUNNINGHAM  
Attorneys for Plaintiff  
27 DESHON MARMAN  
28

1 Dated: February 20, 2014

DENNIS J. HERRERA  
City Attorney  
CHERYL ADAMS  
Chief Trial Deputy  
MICHAEL GERCHOW  
Deputy City Attorney

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3  
4 By: /s/ Michael Gerchow  
5 MICHAEL GERCHOW  
6 Attorneys for Defendant  
CITY AND COUNTY OF SAN FRANCISCO

7 Dated: February 20, 2014

O'MELVENY & MYERS LLP

8  
9 By: /s/ Adam Kohsweeney  
10 ADAM KOHSWEENEY  
11 Attorneys for Defendant  
U.S. AIRWAYS, INC.

12 PURSUANT TO STIPULATION, IT IS SO ORDERED.

13  
14 DATED: February 28, 2014

