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 9 DARYELLE LAWANNA PRESTON

10 **UNITED STATES DISTRICT COURT**  
 11 **NORTHERN DISTRICT OF CALIFORNIA**

12  
 13 DARYELLE LAWANNA PRESTON,  
 14 Plaintiff,  
 15 vs.  
 16 CITY OF OAKLAND; DEANNA  
 17 SANTANA, in her individual capacity,  
 18 Defendants.  
 19

) Case No. 3:14-CV-02022 NC  
 )  
 ) **STIPULATION REGARDING**  
 ) **PLAINTIFF’S ALLEGED**  
 ) **EMOTIONAL DISTRESS**  
 )  
 ) **Trial Date: September 14, 2015**  
 )

20 Plaintiff Daryelle Lawanna Preston (“Plaintiff”) hereby agrees to stipulate as  
 21 follows:

- 22
- 23 1. Plaintiff stipulates that she is not making a claim for a specific mental or  
 24 psychiatric injury or disorder, or for unusually severe emotional distress. Plaintiff  
 25 further stipulates that she is not making a claim for mental and emotional  
 26 distress over and above that usually associated with the alleged treatment of  
 27 Plaintiff at issue in this case. This stipulation may be read to the jury.
  - 28 2. Plaintiff at trial will not call any treating psychotherapist or other expert,  
 regarding her alleged emotional distress damages. Plaintiff will call up to two

1 third-party witnesses at trial to testify in support of her alleged emotional distress  
2 claims, and she must identify to defendants those witnesses by February 4, 2015,  
3 and must make those witnesses available for deposition. Plaintiff may also testify  
4 as to her own damages.

- 5 3. Based upon Plaintiff's representations and agreements herein, the Court will  
6 deny Defendants' motion to compel an independent mental examination of  
7 Plaintiff.  
8

9  
10 Dated: February 3, 2015

11 SIEGEL & YEE

12  
13 By: /s/ Sonya Z. Mehta  
14 SONYA Z. MEHTA

15 Attorneys for Plaintiff  
16 Daryelle LaWanna Preston  
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18  
19  
20 Dated: February 3, 2015  
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