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 12 CITY OF RICHMOND and CHRISTOPHER
 MAGNUS

13
 14 IN THE UNITED STATES DISTRICT COURT
 15 FOR THE NORTHERN DISTRICT OF CALIFORNIA

16 THOMAS HAUSCHILD,
 17 Plaintiff,
 18 v.
 19 CITY OF RICHMOND; CHRISTOPHER
 MAGNUS; and DOES 1 through 10, inclusive
 20 Defendants.
 21

Case No. 15-CV-01556-WHA
**STIPULATION AND ~~PROPOSED~~ ORDER
 REGARDING PLAINTIFF'S CLAIMS FOR
 EMOTIONAL DISTRESS DAMAGES**

22 Plaintiff Thomas Hauschild ("Plaintiff") and Defendants City of Richmond and Christopher
 23 Magnus ("Defendants") hereby stipulate as follows:

- 24 1. Plaintiff acknowledges that Plaintiff is not claiming any damages for any alleged mental,
 25 emotional, psychiatric, psychological, or physical injury, effect, or impairment over and above
 26 those typically associated with the remaining causes of action pled in Plaintiff's Amended
 27 Complaint, (Violation of Plaintiff's due process, speech, and petition rights under the First, Fifth,
 28 and Fourteenth Amendments to the United States Constitution and under 42 U.S.C. Section 1983;

1 Discrimination in violation of the Fair Employment and Housing Act (“FEHA”) under California
2 Government Code §12940; Retaliation in violation of FEHA under California Government Code
3 §12940(h); and violations of California Government Code sections 3304(d)(1) and 3309.5.)

4 Plaintiff is only seeking generalized or garden variety emotional distress damages in this action.

- 5 2. Plaintiff will not call any expert witness, including but not limited to any psychiatrist,
6 psychologist, psychotherapist, counselor or physician, to testify concerning Plaintiff’s alleged
7 emotional distress. Plaintiff is not intending to call any other witness or offer any evidence other
8 than his own testimony to support his emotional distress claim. However, should Plaintiff later
9 determine a need to offer such a witness or such evidence, Plaintiff shall promptly give notice to
10 Defendants and the parties shall meet and confer about the issue.
- 11 3. Based upon these representations, Defendants will not move for or otherwise request a mental
12 examination of Plaintiff. Defendants will withdraw their currently pending request for a mental
13 examination.

14 **IT IS SO STIPULATED.**

15 Dated: April 20, 2016

RENNE SLOAN HOLTZMAN SAKAI LLP

16 By: /s/ Geoffrey Spellberg
17 GEOFFREY SPELLBERG

18 Attorneys for Defendants
19 CITY OF RICHMOND and CHRISTOPHER
MAGNUS

20 Dated: April 20, 2016

BROWN POORE LLP

21 By: /s/ David M. Poore
22 DAVID M. POORE
23 SCOTT A. BROWN

24 Attorneys for Plaintiff
THOMAS HAUSCHILD

25 I hereby attest that I have obtained concurrence for the filing of this document for any signatures
26 indicated by a “conformed” signature (/s/) within this e-filed document.

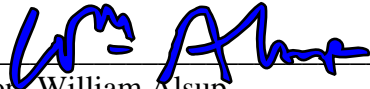
27 Dated: April 21, 2016

/s/
GEOFFREY SPELLBERG

PROPOSED ORDER

The Court has considered the above stipulation of the parties. The stipulation is hereby adopted by the Court.

Dated: April 22, 2016



Hon. William Alsup
United States District Court Judge

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