

1 Christopher A. Callihan, City Attorney #203010
 2 CITY OF SALINAS
 3 OFFICE OF THE CITY ATTORNEY
 4 200 Lincoln Avenue
 5 Salinas, CA 93901
 6 Telephone: (831) 758-7256
 7 Facsimile: (831) 758-7257

8 Vincent P. Hurley #111215
 9 Ryan Thompson #292281
 10 LAW OFFICES OF VINCENT P. HURLEY
 11 A Professional Corporation
 12 28 Seascape Village
 13 Aptos, California 95003
 14 Telephone: (831) 661-4800
 15 Facsimile: (831) 661-4804

16 Attorneys for Defendants
 17 CITY OF SALINAS, CAMERON MURPHY,
 18 MARK LAZZARINI, WILLIAM YETTER, and JEFF ARENSDORF

19 UNITED STATES DISTRICT COURT
 20 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 21 SAN FRANCISCO DIVISION

22 JIHAN SHAWAR THISSEL, TONY LEE 23 MATHEWS JR., SIDNEY THISSEL and 24 JAMIE FRASIER and DOES 1-5 25 26 Plaintiffs, 27 28 vs. 29 30 CAMERON MURPHY, an INDIVIDUAL and 31 OFFICER, MARK LAZZARINI, an 32 INDIVIDUAL and OFFICER, WILLIAM 33 YETTER, an INDIVIDUAL and OFFICER, 34 JEFF ARENSDORF, an INDIVIDUAL, KELLY 35 MCMILLIN in his OFFICIAL CAPACITY, the 36 SALINAS POLICE DEPARTMENT, the CITY 37 OF SALINAS and DOES 1-25, 38 39 Defendants.	Case No. 15-CV-05937-RS STIPULATION AND [PROPOSED] ORDER EXTENDING THE DEADLINE FOR PARTIES TO PARTICIPATE IN EARLY NEUTRAL EVALUATION
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1 WHEREAS, on March 9, 2016, on the stipulation of the parties, Honorable Judge Ronald
2 M. Whyte ordered that Early Neutral Evaluation be completed in the above-captioned matter
3 within 90 days from the date of the March 9, 2016 Order (Dkt. 18); and,

4 WHEREAS, given the Court's March 9, 2016 Order (Dkt. 18), the deadline for the Early
5 Neutral Evaluation to be completed was calculated to be June 7, 2016; and,

6 WHEREAS, on June 2, 2016, on stipulation of the parties, Honorable Ronald M. Whyte
7 ordered the Early Neutral Evaluation date be extended to July 8, 2016 (Dkt. 34); and,

8 WHEREAS, on August 5, 2016, on stipulation of the parties, Honorable Ronald M.
9 Whyte ordered the Early Neutral Evaluation date be extended to September 27, 2016 (Dkt. 37); and,

10 WHEREAS, on September 26, 2016, on stipulation of the parties, Honorable Ronald M.
11 Whyte ordered the Early Neutral Evaluation date be extended to December 9, 2016 (Dkt. 44); and,

12 WHEREAS, on November 30, 2016, the Monterey County District Attorney's Office
13 subpoenaed Defendant Officer CAMERON MURPHY to testify on December 9, 2016 at
14 9:30 a.m. in a preliminary hearing for a homicide in Monterey County Superior Court (see
15 **Exhibit A**), and the Monterey County District Attorney's Office advised counsel for Defendants
16 that the hearing is a date certain, and that it is unlikely that it will be rescheduled; and,

17 WHEREAS, on December 5, 2016, Defendant Sergeant MARK LAZZARINI informed
18 counsel for Defendants that the back injury for which he is currently on disability recently flared
19 up, and that he is in significant pain and cannot move around without assistance; and,

20 WHEREAS, on December 5, 2016, after being informed of the circumstances regarding
21 Officer Murphy's and Sergeant Lazzarini's inability to physically attend the ENE set for
22 December 9, 2016, Evaluator Randolph W. Hall informed counsel for Plaintiffs, Wendy Chau,
23 and counsel for Defendants, Ryan Thompson, that the physical attendance of both Officer
24 Murphy and Sergeant Lazzarini is critical to the success of the ENE; and,

25 WHEREAS, Ms. Chau and Mr. Thompson are in agreement with Mr. Hall that the
26 physical attendance of both Officer Murphy and Sergeant Lazzarini is critical to the success of
27 the ENE; and,

28

EXHIBIT A



SUPERIOR COURTS OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF MONTEREY, CRIMINAL DIVISION

PEOPLE OF THE STATE OF CALIFORNIA

PLAINTIFF,

vs.

DEFENDANT,

SUBPOENA – CRIMINAL
COURT: SALINAS COURTHOUSE
COURT CASE NO.: SS161898A
REPORT NO.: [REDACTED]
HEARING: Preliminary Hearing

PO Cameron Murphy
Salinas Police Department
222 Lincoln Ave,
Salinas, CA 94001

You are commanded to appear before a Judge of the aforementioned Court in and for the County of Monterey, State of California on **December 09, 2016 at 9:30 AM**

A FAILURE TO COMPLY WITH THIS SUBPOENA IS PUNISHABLE AS CONTEMPT OF COURT.
Please call the District Attorney's Office at (831)755-5070, Monday through Friday, 8:00 am to 5:00 p.m., upon receipt of this subpoena.

TIMES AND DATES ARE SUBJECT TO CHANGE. PLEASE CALL PRIOR TO COMING TO COURT.
PLEASE REPORT TO THE DISTRICT ATTORNEY'S OFFICE AT 230 CHURCH STREET, SALINAS CA, MODULAR #3. FOR ASSISTANCE WITH YOUR APPEARANCE ON THE DATE AND TIME STATED ABOVE.

DEAN D. FLIPPO
DISTRICT ATTORNEY

BY: SCOTT EDWARD DONAHUE
Deputy District Attorney
SD/ 11/30/2016