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7 Attorneys for Plaintiffs

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 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

11 FABIO PETROLINO; M.P., a minor,  
 12 through her guardian ad litem, Ana  
 Petrolino; ANDRELINA SILVA;  
 13 ANGELA PETROLINO; and ALEX  
 PETROLINO,  
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 Plaintiffs,  
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 v.  
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 17 CITY AND COUNTY OF SAN  
 FRANCISCO, a municipal corporation;  
 18 EVE ZEFF, ROEL LAPITAN and  
 RAPHROGER GONZAGA, Registered  
 19 Nurses, San Francisco Department of  
 Public Health; MICHAEL MOHN and  
 20 RUDY ZAMORA, Sheriff’s Deputies, San  
 Francisco Sheriff’s Department;  
 21 HEALTHRIGHT360, a California not-for-  
 profit corporation; LAUREN ERICKSON,  
 22 Mental Health Provider, HealthRight360;  
 MARY LEFEVRE, Marriage and Family  
 23 Therapist, HealthRight360; NICK  
 CRISPINO, Associate Social Worker,  
 24 HealthRight360; DANIEL MITCHELL,  
 Officer, California Highway Patrol; and  
 25 DOES 1 through 50, inclusive,  
 26  
 Defendants.

Case No. 16-cv-2946-RS  
**STIPULATION AND ~~PROPOSED~~  
 ORDER FOR LEAVE TO FILE THIRD  
 AMENDED COMPLAINT**  
 Judge: Hon. Richard Seeborg  
 Trial Date: February 26, 2018

1 STIPULATION

2 WHEREAS, Plaintiffs have discovered the true identities of Defendants DOE 3 and  
3 DOE 4 through review of documents produced by Defendant City and County of San  
4 Francisco in mid-December 2016, and seek to amend the Second Amended Complaint to  
5 substitute Sheriff's Deputy Kevin O'Shea into the action in place of DOE 3 and Sheriff's  
6 Deputy Andrew Martinez into the action in place of DOE 4;

7 WHEREAS, Plaintiffs have agreed to dismiss all claims brought against  
8 Defendants Roel Lapitan, Mary Lefevre, and Raphroger Gonzaga with prejudice, with all  
9 parties to bear their own attorneys' fees and costs with regard to claims against Roel  
10 Lapitan, Mary Lefevre, and Raphroger Gonzaga;

11 WHEREAS, Plaintiffs' filing of an amended complaint will not delay compliance  
12 with any of the case management deadlines set by the Court;

13 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties  
14 hereto through their respective counsel of record that Plaintiffs may, pursuant to Rule  
15 15(a)(2) of the Federal Rules of Civil Procedure, file an amended complaint in the form of  
16 the Third Amended Complaint attached hereto as Exhibit A.

17 IT IS SO STIPULATED.

18 Respectfully submitted,

19 DATED: January 30, 2017

ROSEN BIEN GALVAN & GRUNFELD LLP

21 By: /s/ Benjamin Bien-Kahn  
22 Benjamin Bien-Kahn  
23 Attorney for Plaintiffs  
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1 DATED: January 30, 2017

DENNIS J. HERRERA  
City Attorney  
CHERYL ADAMS  
Chief Trial Deputy

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By: /s/ Mark D. Lipton  
Mark D. Lipton  
Deputy City Attorney  
*Attorneys for Defendants City and County of  
San Francisco, Eve Zeff, Roel Lapitan,  
Raphroger Gonzaga, Michael Mohn, Rudy  
Zamora, Kevin O'Shea, and Andrew Martinez*

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10 DATED: January 30, 2017

GORDON & REES LLP

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By: /s/ Kathleen M. Rhoads  
Kathleen M. Rhoads  
*Attorneys for Defendants HealthRight 360, a  
California nonprofit, Lauren Erickson, Mary  
Lefevre, and Nick Crispino*

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16 DATED: January 30, 2017

KAMALA D. HARRIS  
Attorney General of California  
JOHN P. DEVINE  
Supervising Deputy Attorney General

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By: /s/ Micah C.E. Osgood  
Micah C.E. Osgood  
Deputy Attorney General  
*Attorneys for Defendant Daniel Mitchell*

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**ECF Attestation**

22 I, Benjamin Bien-Kahn, attest that concurrence in the e-filing of this document has  
23 been received from the above signatories, in compliance with Civil Local Rule 5-1(i)(3).

24 DATED: January 30, 2017

By: /s/ Benjamin Bien-Kahn  
Benjamin Bien-Kahn

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~~PROPOSED~~ ORDER

Based on the written stipulation of the parties and good cause appearing, Plaintiff may file an amended complaint in the form the Third Amended Complaint, attached hereto as Exhibit A.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 2/2, 2017

  
\_\_\_\_\_  
The Honorable Richard Seeborg  
United States District Court Judge