

McNAMARA, NEY, BEATTY, SLATTERY, BORGES & AMBACHER LLP
ATTORNEYS AT LAW
1211 NEWELL AVENUE, WALNUT CREEK, CA 94596
TELEPHONE: (925) 939-5330

1 NOAH G. BLECHMAN (State Bar No. 197167)
noah.blechman@mcnamaralaw.com
2 AMY S. ROTHMAN (State Bar No. 308133)
amy.rothman@mcnamaralaw.com
3 KEREN SCHLANK (State Bar No. 310389)
keren.schlank@mcnamaralaw.com
4 McNAMARA, NEY, BEATTY, SLATTERY,
BORGES & AMBACHER LLP
5 1211 Newell Avenue
Walnut Creek, CA 94596
6 Telephone: (925) 939-5330
Facsimile: (925) 939-0203
7

Attorneys for Defendants
8 CITY OF ANTIOCH; RICK SMITH; CHRIS KIDD; CASEY
BROGDEN; THOMAS SMITH; and BRIAN ROSE
9

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12

13 C.R., co-successor-in-interest to Decedent
Rakeem Rucks, by and through his
14 Guardian Ad Litem Beverly McIntosh; I.R.,
co-successor-in-interest to Decedent
15 Rakeem Rucks, by and through his
Guardian Ad Litem Beverly McIntosh;
16 R.R., co-successor-in-interest to Decedent
Rakeem Rucks, by and through his
17 Guardian Ad Litem Beverly McIntosh; J.R.,
co-successor-in-interest to Decedent
18 Rakeem Rucks, by and through her
Guardian Ad Litem Jasmine Williams; and
19 Debra Moore, individually,

20 Plaintiffs,

21 vs.

22 CITY OF ANTIOCH, a municipal
corporation; RICK SMITH, individually
23 and in his official capacity as a police
sergeant for the CITY OF ANTIOCH;
24 CHRIS KIDD, individually and in his
official capacity as a police officer for the
25 CITY OF ANTIOCH; CASEY
BROGDEN, individually and in his official
26 capacity as a police officer for the CITY
OF ANTIOCH; THOMAS SMITH,
27 individually and in his official capacity as a
police officer for the CITY OF ANTIOCH;
28 BRIAN ROSE, individually and in his

Case No. C16-03742 JST

**STIPULATED NOTICE OF DISMISSAL
AND PROPOSED ORDER**

STIPULATED NOTICE OF DISMISSAL AND
PROPOSED ORDER - Case No. C16-03742 JST

McNAMARA, NEY, BEATTY, SLATTERY, BORGES & AMBACHER LLP
ATTORNEYS AT LAW
1211 NEWELL AVENUE, WALNUT CREEK, CA 94596
TELEPHONE: (925) 939-5330

1 official capacity as a police detective with
2 the CITY OF ANTIOCH; and DOES 1-50,
3 inclusive, individually, jointly and
4 severally,

Defendants.

5 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

6 IT IS HEREBY STIPULATED by and between the parties to this action, through their
7 designated counsel of record, that Plaintiffs hereby voluntarily dismiss Defendant BRIAN ROSE,
8 without prejudice. Each party agrees to bear their own attorneys' fees and costs in relation to this
9 dismissed party.

10 IT IS SO STIPULATED.

11 The parties attest that concurrence in the filing of this document has been obtained from
12 each of the other Signatories, which shall serve in lieu of their signatures on the document.

14 Dated: July 19, 2017

JOHN L. BURRIS LAW OFFICES

16 By: /s/ Nold, Melissa

Adante D. Pointer

Melissa C. Nold

Attorneys for Plaintiffs

19 Dated: July 19, 2017

McNAMARA, NEY, BEATTY, SLATTERY,
BORGES & AMBACHER LLP

22 By: /s/ Blechman, Noah

Noah G. Blechman

Amy S. Rothman

Keren Schlank

Attorneys for Defendants

CITY OF ANTIOCH; RICK SMITH; CHRIS KIDD;
CASEY BROGDEN; THOMAS SMITH; and BRIAN
ROSE


McNAMARA, NEY, BEATTY, SLATTERY, BORGES & AMBACHER LLP
ATTORNEYS AT LAW
1211 NEWELL AVENUE, WALNUT CREEK, CA 94596
TELEPHONE: (925) 939-5330

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

It is hereby ORDERED that Defendant BRIAN ROSE, only, is hereby dismissed, without prejudice, each party to bear their own fees and costs with regard to this party.

IT IS SO ORDERED

Dated: July 20, 2017 By: 
Honorable Jon S. Tigar
United States District Judge