

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KATHLEEN ESPINOSA, et al.,

Plaintiffs,

No. C 06-04686 JSW

v.

CITY AND COUNTY OF SAN FRANCISCO,
et al.,

ORDER REGARDING CLAIMS

Defendants.

_____ /

Plaintiffs have made the following representations regarding their claims:

1. They only assert a claim for unlawful entry and search of 2 Garces Drive against Officer Morgado, and not against Officers Alvis and Keesor.
2. They only assert a claim for excessive force regarding the pointing of guns against Officers Alvis and Keesor, and not against Officer Morgado.
3. They do not claim any economic damages.
4. The only plaintiff is minor Asa I. Sullivan (“Minor Sullivan”). He is bringing claims in two different capacities. Minor Sullivan is pursuing the constitutional claims as the successor in interest to the decedent, Mr. Sullivan, and is pursuing the state law claims on his own personal behalf.

Plaintiffs are **HEREBY ORDERED** to confirm these representations in writing by no later than 2:00 p.m. today.

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Defendants contend that all of the experts agree that the pointing of the guns at Mr. Sullivan was reasonable and thus that there is insufficient evidence to allow a reasonable juror to conclude otherwise. Plaintiffs requested some time to review the evidence to determine whether or not they agreed. Plaintiffs are FURTHER ORDERED to inform the Court in writing by no later than 2:00 p.m. today regarding their position as to whether there is sufficient evidence to enable a reasonable juror to find that the pointing of guns by Officers Alvis and Keesor was unreasonable.

IT IS SO ORDERED.

Dated: October 2, 2014



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE