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15 Attorney for Defendants

16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
 18 OAKLAND DIVISION

19 MARIA MEDINA, et al.,  
 20  
 21 Plaintiffs,  
 22  
 23 v.  
 24 CITY OF MENLO PARK, et al.,  
 25  
 26 Defendants.

Case No. CV 08-3946 WDB

27 **STIPULATION AND ~~PROPOSED~~**  
**ORDER GRANTING PLAINTIFFS**  
**LEAVE TO FILE SECOND**  
**AMENDED COMPLAINT**

28 **Complaint Filed: August 18, 2008**  
**Trial Date: August 11, 2009**

1 Plaintiffs Maria Medina, Walter Campos, Hector Luis Valencia, Javier Anguiano, Samuel  
2 Salgado, Rodolfo Medina, Joel Antonio Vasquez-Medina, Jose Jesus Espinoza, Francisco Leon,  
3 and Oscar Campos, (“Plaintiffs”) and Defendants City of Menlo Park, Jonathan Baxter, Nicholas  
4 Douglas, Ronald Prickett, Thomas Crutchfield, and Joshua Venzon (“Defendants”) (collectively  
5 “the Parties”), through their respective counsel, present the following stipulation granting  
6 Plaintiffs leave to file Second Amended Complaint.

7 WHEREAS Plaintiffs desire to amend their Complaint to add a state law malicious  
8 prosecution claim against all Defendants in this matter;

9 WHEREAS Plaintiffs’ [Proposed] Second Amended Complaint is attached hereto as  
10 Exhibit 1;

11 WHEREAS all Defendants to this action consent to the filing of Plaintiffs’ Second  
12 Amended Complaint, however, Defendants do not consent to the allegations contained therein;

13 Plaintiffs and Defendants, through their respective attorneys, stipulate as follows:

- 14 1. Plaintiffs’ [Proposed] Second Amended Complaint, attached hereto as Exhibit 1, shall  
15 be deemed filed, and served as of the date of the Court’s execution of the appended  
16 Order hereto;
- 17 2. Defendants shall file and serve a response to Plaintiffs’ Second Amended Complaint  
18 within the time permitted pursuant to Federal Rules of Civil Procedure, Rule 15(a).

19 The foregoing stipulation is agreed to by:

20  
21 Dated: May 18, 2009

Respectfully submitted,

22 ARTURO J. GONZÁLEZ  
23 KENNETH W. BRAKEBILL  
24 NATALIE NAUGLE  
25 SARINA SALUJA  
26 MORRISON & FOERSTER LLP

27 By: /s/ Natalie Naugle  
Natalie Naugle

28 Attorneys for Plaintiffs

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Dated: May 18, 2009

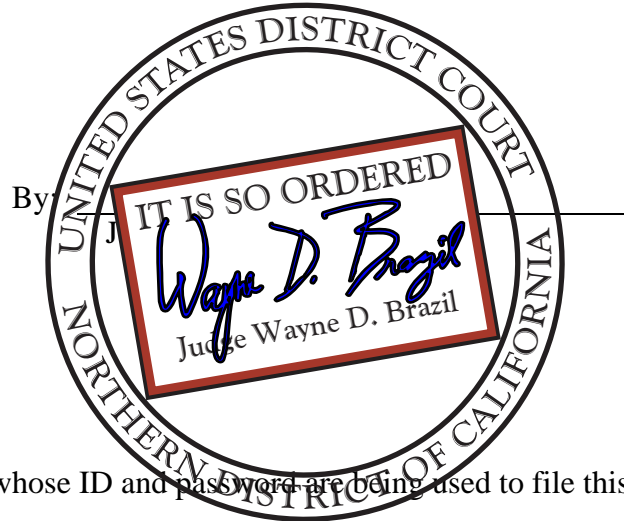
MICHAEL C. SERVERIAN  
RANKIN, LANDSNESS, LAHDE,  
SERVERIAN & STOCK

By: /s/ Michael C. Serverian  
Michael C. Serverian

Attorney for Defendants

IT IS SO ORDERED.

Dated: 5/19/2009



I, Natalie Naugle, am the ECF user whose ID and password are being used to file this Stipulation and [Proposed] Order Granting Plaintiffs Leave to File Second Amended Complaint In compliance with General Order 45.X.B, I hereby attest that MichaelC. Serverian has concurred in this filing.

Dated: May 18, 2009

ARTURO J. GONZÁLEZ  
KENNETH W. BRAKEBILL  
NATALIE NAUGLE  
SARINA SALUJA  
MORRISON & FOERSTER LLP

By: /s/ Natalie Naugle  
Natalie Naugle

Attorneys for Plaintiffs