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7 Attorneys for Defendants  
 8 CITY AND COUNTY OF SAN FRANCISCO, AND  
 SHERIFF MICHAEL HENNESSEY  
 9

10  
 11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA

13 ESTHER DOWNES, IN HER INDIVIDUAL  
 CAPACITY AND AS PERSONAL  
 14 REPRESENTATIVE FOR ISSIAH DOWNES  
 AND THE ESTATE OF ISSIAH DOWNES,

15 Plaintiffs,

16 vs.

17 THE CITY AND COUNTY OF SAN  
 18 FRANCISCO; Sheriff MICHAEL  
 HENNESSEY; Undersheriff JANET  
 19 DEMPSEY; Capt. JOHN CASEY; Senior  
 Deputy MATTHEW WONG; Dpeuty SMITH-  
 20 AL-GHANI; Deputy JUAN GUITRON;  
 Deputy EDWARD GUTIERREZ; Deputy  
 21 MEL SONG; Deputy KEN LOMBA; Deputy  
 DAN WHITE; Deuty KEVIN MACKSOUD;  
 22 PAULA AVERY; EMMANUEL BULATO;  
 and DOES 2 THRU 100, all in their individual  
 23 and official capacities,

24 Defendants.  
 25

Case No. C10-4451 CW

**STIPULATION AND ORDER AUTHORIZING  
 CITY AND COUNTY OF SAN FRANCISCO  
 TO DISCLOSE PHOTOGRAPHS**

Trial Date: Not Set

1 This stipulation is entered into by and between the plaintiffs and the defendants, by and  
2 through their respective counsel.

3 1. On September 7, 2009 ISSIAH DOWNES died while in custody of the San Francisco  
4 Sheriff's Department.

5 2. The City and County of San Francisco Medical Examiner's Office took photographs of  
6 ISSIAH DOWNES and conducted an autopsy of ISSIAH DOWNES.

7 3. The Medical Examiner's photographs are relevant to ongoing discovery and the  
8 litigation of the instant action.

9 4. Pursuant to California Code of Civil Procedure section 129, the photographs requested  
10 cannot be released by the San Francisco Medical Examiner's Office except as authorized by Order of  
11 the Court.

12 5. The Parties stipulate to an order authorizing the release of the photographs and that the  
13 photographs are to be used solely for the litigation of this action and subject to the already-existing  
14 Protective Order in this action.

15 IT IS SO STIPULATED.

16 Dated: January 25, 2011

17 DENNIS J. HERRERA  
18 City Attorney  
19 JOANNE HOEPER  
20 Chief Trial Deputy  
21 PETER J. KEITH  
22 Deputy City Attorney

23 By: Peter J. Keith  
24 PETER J. KEITH  
25 Attorneys for Defendants  
26 CITY AND COUNTY OF SAN FRANCISCO  
27 AND SHERIFF MICHAEL HENNESSEY  
28

1 Dated: January 25, 2011

LAW OFFICES OF GERI LYNN GREEN

2  
3 By: \_\_\_\_\_

4 GERI LYNN GREEN

Attorneys for Plaintiff ESTHER DOWNES

5 *\*Pursuant to GO 45, the electronic signatory has obtained  
6 approval from this signatory.*

7 **ORDER**

8 BASED ON THE ABOVE ENTERED STIPULATION, IT IS SO ORDERED.

9  
10 Dated: 1/26/2011

11  
12 

13 THE HONORABLE CLAUDIA WILKEN

14 UNITED STATES DISTRICT COURT JUDGE