

1 DENNIS J. HERRERA, State Bar #139669
 City Attorney
 2 CHERYL ADAMS, State Bar #164194
 Chief Trial Attorney
 3 BRADLEY A. RUSSI, State Bar #256993
 Deputy City Attorney
 4 Fox Plaza
 1390 Market Street, Sixth Floor
 5 San Francisco, California 94102-5408
 Telephone: (415) 554-3964
 6 Facsimile: (415) 554-3837
 E-Mail: brad.russi@sfgov.org

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 8 Attorneys for Defendants
 CITY AND COUNTY OF SAN FRANCISCO et al.
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 11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

13 JESSE J. BYRD, MALIK BRITT, RASHAD
 CONLEY, and ANDREW EMIL
 14 ARMSTRONG,

15 Plaintiffs,

16 vs.

17 THE CITY AND COUNTY OF SAN
 FRANCISCO; SAN FRANCISCO POLICE
 18 DEPARTMENT; ROSELO PASCUA; ALEX
 RODATOS; KELVIN SANDERS;
 19 JONATHON CATLETT; RICHARD
 SOARES; WILLIAM ESCOBAR; and DOES
 20 NO. 1-20, inclusive.

21 Defendants.

Case No. C11-1742 DMR

**STIPULATED APPLICATION TO EXCUSE
 DEFENDANTS RODATOS AND ESCOBAR
 FROM ATTENDANCE AT SETTLEMENT
 CONFERENCE; DECLARATION OF
 BRADLEY A. RUSSI; [~~PROPOSED~~] ORDER**

HEARING DATE: Feb. 13, 2013
 TIME: 11:00 A.M.
 PLACE: Judge Westmore
 1301 Clay Street
 Oakland, CA

Trial Date: March 11, 2013

1 This office represents the Defendants in the above-referenced matter, including Defendants
2 Alex Rodatos and William Escobar. Defendants request that Sergeant Rodatos and Lieutenant Escobar
3 be excused from the settlement conference scheduled for February 13, 2013. Sergeant Rodatos has a
4 medical issue that has rendered him unable to travel to the conference. He will be available by
5 telephone. Lieutenant Escobar has been attending a multiple-month training course. He is required to
6 participate in the end of the training course, which is scheduled for February 13, or he will have to
7 repeat the entire course.

8 The other individual defendants will be present, as will a representative from the San Francisco
9 Police Department. The presence of Sergeant Rodatos and Lieutenant Escobar is not necessary to
10 authorize a settlement. Furthermore, Plaintiffs have already taken the depositions of these Defendants.

11 Plaintiffs' counsel has stipulated to excusing Rodatos and Escobar from attendance at the
12 settlement conference.

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14 Dated: February 1, 2013

15 DENNIS J. HERRERA
16 City Attorney
17 CHERYL ADAMS
18 Chief Trial Attorney
19 BRADLEY A. RUSSI
20 Deputy City Attorney

21 By: /s/ Bradley A. Russi
22 BRADLEY A. RUSSI

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24 Attorneys for Defendants
25 CITY AND COUNTY OF SAN FRANCISCO, ET AL
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1 **DECLARATION OF BRADLEY A. RUSSI**

2 I, Bradley A. Russi, declare as follows:

3 1. I am an attorney admitted to practice law in the State of California and before this
4 Court. I am employed as a Deputy City Attorney with the Office of the City Attorney for the City and
5 County of San Francisco. I am assigned to represent the defendants in the above-captioned litigation.

6 2. I am informed and believe that Sergeant Rodatos has a medical issue that has rendered
7 him unable to travel to the conference. He will be available by telephone.

8 3. Lieutenant Escobar has been attending a multiple-month training course. He is required
9 to participate in the end of the training course, which is scheduled for February 13, or he will have to
10 repeat the entire course.

11 4. I have conferred with Plaintiffs’ counsel regarding the presence of Rodatos and Escobar
12 at the settlement conference. Plaintiffs’ counsel stipulated that Rodatos and Escobar need not attend.

13 I declare under penalty of perjury under the laws of the State of California that the preceding
14 declaration is true, and that this declaration was executed February 1, 2013 in San Francisco,
15 California.

16 */s/ Bradley A. Russi*
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18 BRADLEY A. RUSSI
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~~PROPOSED~~ ORDER

Upon good cause shown, Defendants Alex Rodatos and William Escobar are excused from attendance at the February 13, 2013, settlement conference of this matter.

IT IS SO ORDERED

Dated: 2/4/13


KANDIS A. WESTMORE
UNITED STATES MAGISTRATE JUDGE