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12
 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15

16 ANGEL SMITH, in Her Capacity as
 Personal Representative for the Estate of
 17 Edrick Harvey, and CHELSEA STINGLEY
 as guardian ad Litem for minors AS and
 18 RH,

19 Plaintiffs,

20 vs.

21 CITY OF ANTIOCH, et al.,

22 Defendants.

Case No. C11-04986 SBA

**STIPULATION AND ~~PROPOSED~~
 ORDER TO PROCEED BEFORE
 UNITED STATES MAGISTRATE JUDGE
 LAUREL BEELER**

23 IT IS HEREBY STIPULATED AND AGREED, by and between the parties to this action,
 24 through their respective counsel of record, as follows:

25 WHEREAS this civil rights action is currently pending in the above entitled Court before
 26 the Honorable District Court Judge Sandra Brown Armstrong.

27 WHEREAS Edrick Harvey and her two children Angel Smith ("AS") and RH were the
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C11-04986 SBA - STIPULATION AND ORDER
 TO PROCEED BEFORE U.S MAGISTRATE
 JUDGE LAUREL BEELER

1 Plaintiffs in this suit against the Antioch Police Department and others. Trial was previously set
2 for July 15, 2013. On March 2, 2013, Plaintiff Edrick Harvey passed away unexpectedly.
3 Plaintiffs timely filed a "Statement Noting the Death of Plaintiff Edrick Harvey" pursuant to
4 Federal Rule of Civil Procedure, Rule 25(a)(1) On March 11, 2013, Plaintiffs and Defendants
5 stipulated to continue the trial. On March 12, 2013, the Court granted the stipulated request for
6 continuance.

7 On June 4, 2013, the Contra Costa County Superior Court issued an order appointing
8 Angel Smith as the special administrator for the Estate of Edrick Harvey for the purpose of being
9 substituted as the proper party into the present case. On June 6, 2013, Plaintiffs and Defendants
10 stipulated "that Angel Smith, in her capacity as 'personal representative of the Estate of Edrick
11 Harvey,' may be substituted as the proper party in the place of deceased plaintiff Edrick Harvey,
12 pursuant to Federal Rule of Civil Procedure, Rule 25(a)." This Court issued an Order on July 17,
13 2013, substituting Angel Smith, in her capacity as personal representative of the Estate of Edrick
14 Harvey, as the proper party in the place of deceased plaintiff Edrick Harvey.

15 WHEREAS during the telephonic case management conference on July 17, 2013 the
16 parties agreed to meet and confer about possibly stipulating to have the case transferred to a
17 United States magistrate judge.

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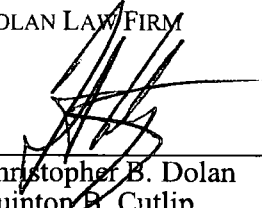
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THE PARTIES NOW AGREE AND HEREBY STIPULATE to consent to have United States Magistrate Judge Laurel Beeler conduct all further proceedings in this case, including trial and order of entry of a final judgment according to 28 U.S.C. § 636(c). Appeal from the judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit. The parties agree and hereby request to have the case transferred to for any and all further proceedings.

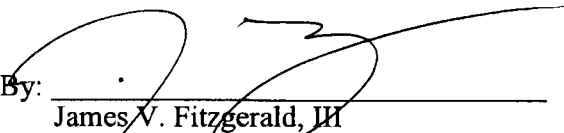
Dated: July 26, 2013

THE DOLAN LAW FIRM

By: 
Christopher B. Dolan
Quinton B. Cutlip
Attorneys for All Plaintiffs

Dated: July 29, 2013

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

By: 
James V. Fitzgerald, III
Noah G. Blechman
Attorneys for All Defendants

PURSUANT TO STIPULATION, IT IS ORDERED THAT

This pending civil action is transferred to Magistrate Judge Laurel Beeler for all further proceedings. An order will be issued to the parties regarding a Case Management Conference with Magistrate Judge Laurel Beeler.

IT IS SO ORDERED

DATED: 7/29/13


Hon. Sandra B. Armstrong
United States District Court Judge