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8 **IN THE DISTRICT COURT OF THE UNITED STATES OF AMERICA**

9 **NORTHERN DISTRICT OF CALIFORNIA**

10 **OAKLAND DIVISION**

11

12 JUAN LUCERO, JR.,)
Plaintiff,)

13 v.)

14 JOHN ETTARE, BADGE NO. 156; JOHN)
DOE and RICHARD ROE, individually and in)
15 their capacities as Berkeley police officers, the true)
names and exact numbers of whom are unknown)
16 at this time; CITY OF BERKELEY; DOES 1 to)
100,)

17 Defendants.)

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20 On 12 January 2016 this Court issued its order substituting Kyle Howe as a defendant in this
21 matter, and on 1 February 2016 this Court issued an Amended Summons. Upon meeting and
22 conferring, counsel for defendants represented that she is authorized to accept service for Mr. Howe.
23 Upon further meeting and conferring,

24 **IT IS STIPULATED** that defendant CSO Kyle Howe be deemed served with the Amended
25 Summons and the complaint in this matter, and that defendant Mr. Howe shall have until

26 //

27 //

28 Stipulation and [Proposed] Order

No. 15-cv-02654-KAW

STIPULATION AND
~~[PROPOSED]~~ ORDER RE
SERVICE AND TIME TO
) ANSWER COMPLAINT BY
DEFENDANT KYLE HOWE

1 29 February 2016 in which to file his responsive pleading with this Court.

2
3 Dated: 10 February 2016

4 /s/ Lynne S. Bourgault

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6 Lynne S. Bourgault
Attorney for Defendants

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8 Dated: 10 February 2016

9 /s/ Anthony Boskovich

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11 Anthony Boskovich
Attorney for plaintiff

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13 **ORDER**

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15 Upon stipulation of the parties, and good cause appearing,

16
17 **IT IS ORDERED** that

18 1. Defendant CSO Kyle Howe is deemed served with the Amended Summons and complaint
19 in this matter; and,

20 2. Defendant CSO Kyle Howe shall serve his responsive pleading no later than 29 February
21 2016.

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23 Dated: 2/12/16

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26 
United States Magistrate Judge