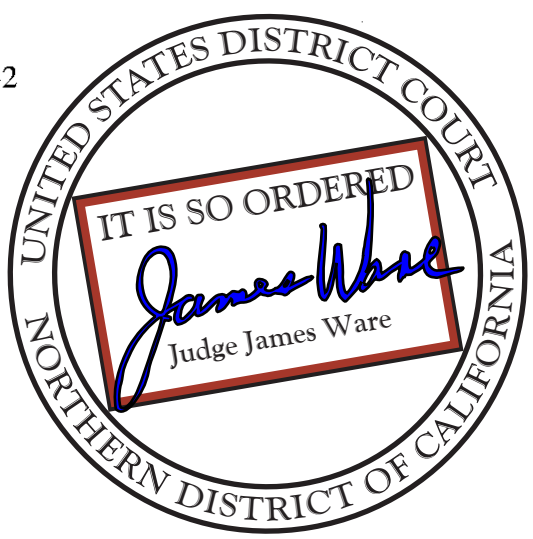


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15 Attorneys for Defendants  
 16 CITY OF SALINAS, SALINAS POLICE DEPARTMENT, CHIEF DANIEL ORTEGA,  
 17 MICHAEL DOMINICI, CRAIG FAIRBANKS, JAMES GODWIN, LEK LIVINGSTON,  
 18 VALENTIN PAREDEZ, JUAN RUIZ, and TIM SIMPSON



19 UNITED STATES DISTRICT COURT  
 20 NORTHERN DISTRICT OF CALIFORNIA  
 21 SAN JOSE DIVISION

22 BETTY LOU HESTON and ROBERT H. HESTON, individually, and MISTY  
 23 KASTNER, as the Administrator of the Estate of ROBERT C. HESTON, deceased,  
 24  
 25 Plaintiffs,  
 26  
 27 vs.  
 28  
 29 CITY OF SALINAS and SALINAS POLICE DEPARTMENT, SALINAS POLICE CHIEF  
 30 DANIEL ORTEGA, SALINAS POLICE OFFICERS MICHAEL DOMINICI, CRAIG  
 31 FAIRBANKS, JAMES GODWIN, LEK LIVINGSTON, VALENTIN PAREDEZ,  
 32 JUAN RUIZ AND TIM SIMPSON, TASER INTERNATIONAL, INC., and DOES 1 to 10,  
 33  
 34 Defendants.

35 Case No. C-05-03658 JW  
 36 STIPULATION TO DISMISS  
 37 DEFENDANTS CITY OF SALINAS,  
 38 SALINAS POLICE DEPARTMENT,  
 39 CHIEF DANIEL ORTEGA, MICHAEL  
 40 DOMINICI, CRAIG FAIRBANKS,  
 41 JAMES GODWIN, LEK LIVINGSTON,  
 42 VALENTIN PAREDEZ, JUAN RUIZ,  
 43 and TIM SIMPSON WITH PREJUDICE

44 WHEREAS, Plaintiffs and Defendants, CITY OF SALINAS, SALINAS POLICE  
 45 DEPARTMENT, CHIEF DANIEL ORTEGA, MICHAEL DOMINICI, CRAIG FAIRBANKS,

1 JAMES GODWIN, LEK LIVINGSTON, VALENTIN PAREDEZ, JUAN RUIZ, and TIM  
2 SIMPSON, have entered into a settlement agreement and general release in which Plaintiffs have  
3 agreed to dismiss any right of appeal of the judgment in this matter in favor of the CITY OF  
4 SALINAS, SALINAS POLICE DEPARTMENT, CHIEF DANIEL ORTEGA, MICHAEL  
5 DOMINICI, CRAIG FAIRBANKS, JAMES GODWIN, LEK LIVINGSTON, VALENTIN  
6 PAREDEZ, JUAN RUIZ, and TIM SIMPSON, in exchange for payment to Plaintiffs of the total  
7 amount of \$20,000.00; and,

8 WHEREAS, Defendant TASER International, Inc. agrees that Defendants CITY OF  
9 SALINAS, SALINAS POLICE DEPARTMENT, CHIEF DANIEL ORTEGA, MICHAEL  
10 DOMINICI, CRAIG FAIRBANKS, JAMES GODWIN, LEK LIVINGSTON, VALENTIN  
11 PAREDEZ, JUAN RUIZ, and TIM SIMPSON, may be dismissed with prejudice from any  
12 further proceedings;

13 THEREFORE, Plaintiffs BETTY LOU HESTON and ROBERT H. HESTON,  
14 individually, and MISTY KASTNER, as the Administrator of the Estate of ROBERT C.  
15 HESTON, and Defendants, CITY OF SALINAS, SALINAS POLICE DEPARTMENT, CHIEF  
16 DANIEL ORTEGA, MICHAEL DOMINICI, CRAIG FAIRBANKS, JAMES GODWIN, LEK  
17 LIVINGSTON, VALENTIN PAREDEZ, JUAN RUIZ, and TIM SIMPSON, and Defendant  
18 TASER International, Inc. hereby stipulate by and through their respective counsel pursuant to  
19 Federal Rule of Civil Procedure 41(a)(1)(ii) and 41(a)(2) to an order dismissing Defendants  
20 CITY OF SALINAS, SALINAS POLICE DEPARTMENT, CHIEF DANIEL ORTEGA,  
21 MICHAEL DOMINICI, CRAIG FAIRBANKS, JAMES GODWIN, LEK LIVINGSTON,  
22 VALENTIN PAREDEZ, JUAN RUIZ, and TIM SIMPSON, with prejudice in United States  
23 District Court, Northern District of California Case No. C-05-03658 JW. This STIPULATION

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27 ///

28

1 includes any proceedings subsequent to appeals of Plaintiffs and/or TASER International, Inc. in  
2 the United States Court of Appeals for the Ninth Circuit.

3

4 Dated: 4-3-09

5

The Law Offices of John Burton

6

By: \_\_\_\_\_  
JOHN BURTON

7

8

Attorneys for Plaintiffs BETTY LOU HESTON and  
ROBERT H. HESTON, individually, and MISTY  
KASTNER, as the Administrator of the Estate of  
ROBERT C. HESTON

9

10

11 Dated: \_\_\_\_\_

11

Law Offices of Vincent P. Hurley

12

13

By: \_\_\_\_\_  
VINCENT P. HURLEY

14

15

Attorneys for Defendants CITY OF SALINAS,  
SALINAS POLICE DEPARTMENT, CHIEF  
DANIEL ORTEGA, MICHAEL DOMINICI,  
CRAIG FAIRBANKS, JAMES GODWIN, LEK  
LIVINGSTON, VALENTIN PAREDEZ, JUAN  
RUIZ, and TIM SIMPSON,

16

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18 Dated: \_\_\_\_\_

18

Manning & Marder, Kass, Elrod, Ramirez, LLP

19

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By: \_\_\_\_\_  
MILDRED K. O'LINN

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22

Attorneys for Defendant TASER International, Inc.

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24 IT IS SO ORDERED.

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\_\_\_\_\_  
JAMES WARE  
Judge of the United States District Court for the  
Northern District of California

27

28

1 includes any proceedings subsequent to appeals of Plaintiffs and/or TASER International, Inc. in  
2 the United States Court of Appeals for the Ninth Circuit.

3  
4 Dated: \_\_\_\_\_

5 The Law Offices of John Burton

6  
7 By: \_\_\_\_\_

8 JOHN BURTON

9 Attorneys for Plaintiffs BETTY LOU HESTON and  
10 ROBERT H. HESTON, individually, and MISTY  
11 KASTNER, as the Administrator of the Estate of  
12 ROBERT C. HESTON

13 Dated: April 14, 2009

14 Law Offices of Vincent P. Hurley

15 By: Vincent P. Hurley  
16 VINCENT P. HURLEY

17 Attorneys for Defendants CITY OF SALINAS,  
18 SALINAS POLICE DEPARTMENT, CHIEF  
19 DANIEL ORTEGA, MICHAEL DOMINICI,  
20 CRAIG FAIRBANKS, JAMES GODWIN, LEK  
21 LIVINGSTON, VALENTIN PAREDEZ, JUAN  
22 RUIZ, and TIM SIMPSON,

23 Dated: \_\_\_\_\_

24 Manning & Marder, Kass, Elrod, Ramirez, LLP

25 By: \_\_\_\_\_

26 MILDRED K. O'LINN

27 Attorneys for Defendant TASER International, Inc.

28 IT IS SO ORDERED.

\_\_\_\_\_  
JAMES WARE  
Judge of the United States District Court for the  
Northern District of California

1 includes any proceedings subsequent to appeals of Plaintiffs and/or TASER International, Inc. in  
2 the United States Court of Appeals for the Ninth Circuit.

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Dated: \_\_\_\_\_

The Law Offices of John Burton

By: \_\_\_\_\_  
JOHN BURTON  
Attorneys for Plaintiffs BETTY LOU HESTON and  
ROBERT H. HESTON, individually, and MISTY  
KASTNER, as the Administrator of the Estate of  
ROBERT C. HESTON

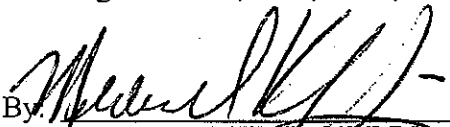
Dated: \_\_\_\_\_

Law Offices of Vincent P. Hurley

By: \_\_\_\_\_  
VINCENT P. HURLEY  
Attorneys for Defendants CITY OF SALINAS,  
SALINAS POLICE DEPARTMENT, CHIEF  
DANIEL ORTEGA, MICHAEL DOMINICI,  
CRAIG FAIRBANKS, JAMES GODWIN, LEK  
LIVINGSTON, VALENTIN PAREDEZ, JUAN  
RUIZ, and TIM SIMPSON,

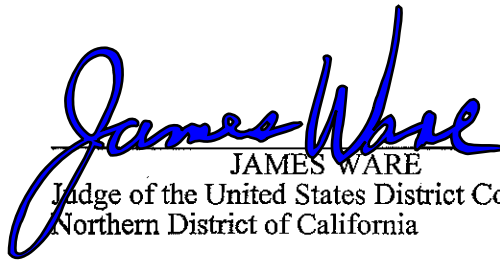
Dated: April 9, 2009

Manning & Marder, Kass, Elrod, Ramirez, LLP

By:   
MILDRED K. O'LINN  
Attorneys for Defendant TASER International, Inc.

IT IS SO ORDERED.

Dated: April 28, 2009

  
JAMES WARE  
Judge of the United States District Court for the  
Northern District of California