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 9 IN THE UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

11 DANIEL J. MITCHELL, *et al.*,)
 12)
 Plaintiffs,)
 13 v.)
 14 COUNTY OF MONTEREY,)
 15)
 Defendant.)
 16)
 17)
 18)

Case No.: 5:08-01166-JW

**STIPULATION REGARDING
 SEPARATE STATEMENT IN
 SUPPORT OF MOTIONS FOR
 SUMMARY JUDGMENT/SUMMARY
 ADJUDICATION**

19 WHEREAS, this action involves twenty plaintiffs and the defendant has asserted nineteen
 20 affirmative defenses;

21 WHEREAS, the parties have conducted thirty depositions and produced thousands of pages of
 22 documentary evidence during the course of discovery;

23 WHEREAS, the parties filed cross motions for summary judgment and/or adjudication;

24 WHEREAS, the parties believe consideration of the previously filed separate statement of
 25 undisputed facts and declarations in support will enhance the clarity of the parties' moving and
 26 opposition papers and allow the Court to quickly identify and locate the evidence the parties rely on in
 27 their motions,

28 NOW, THEREFORE, it is hereby stipulated, between the parties, and each of them, that they

1 request that the court issue an order allowing Plaintiffs' previously filed separate statement of undisputed
2 facts to be considered in support of their motions for summary judgment/adjudication and in opposition
3 to Defendant's motion for summary judgment/adjudication; and that Defendant's evidence filed in
4 support of its motion for summary judgment/adjudication also be considered in opposition to Plaintiffs'
5 motions for summary judgment; except to the extent Plaintiffs' separate statement or Defendant's
6 evidence is not relevant or admissible.

7 **IT IS SO STIPULATED.**

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9 Dated: January 4, 2011

**MASTAGNI, HOLSTEDT, AMICK,
MILLER & JOHNSEN**

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By: /s/ Isaac S. Stevens
ISAAC S. STEVENS
Attorneys for Plaintiffs
DAN MITCHELL, *et al.*

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Dated: January 4, 2011

By: /s/ William K. Rentz
WILLIAM K. RENTZ
Sr. Deputy County Counsel
Attorney for Defendant
COUNTY OF MONTEREY

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~~Proposed~~ ORDER FOR LEAVE TO FILE A SEPARATE STATEMENT

IT IS SO ORDERED

Dated: January 5, 2011



Hon. James Ware