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8 CITY OF SANTA CLARA

9
10 **IN THE UNITED STATES DISTRICT COURT**
11 **NORTHER DISTRICT OF CALIFORNIA**

12 NANCY NAVA,
13)
14) Plaintiff,
15)
16) vs.

Case No. C08 03066 PVT

**ORDER PERMITTING DISMISSAL OF
CERTAIN DEFENDANTS**

17 MIKE SEADLER, individually and in
18 his capacity as a Santa Clara police
19 officer; CLYDE CHENG, individually
20 and in his capacity as a Santa Clara
21 police officer; ALEX TORKE,
22 individually and in his capacity as a
23 Santa Clara police officer; A. WOLF,
24 individually and in his capacity as a
25 Santa Clara police officer; S.
26 MAJOROS, individually and in his
27 capacity as a Santa Clara police
28 officer; T. SHEARER, individually
and in his capacity as a Santa Clara
police officer; J. FANUCCHI,
individually and in his capacity as a
Santa Clara police officer; T.
NIESEN, individually and in his
capacity as a Santa Clara police
officer; M. OVER, individually and in
his capacity as a Santa Clara police
officer; DAN WINTER, individually
and in his capacity as a Santa Clara
police officer; A. LANGE, individually
and in his capacity as a Santa Clara
police officer; R. CIRAULO,
individually and in his capacity as a
Santa Clara police officer; J.
MASTILOCK, individually and in his
capacity as a Santa Clara police
officer; A. LAYTON, individually and
in his capacity as a Santa Clara
police officer; J. GREEN, individually
and in his capacity as a Santa Clara
police officer; D. RUSH, individually

1 and in his capacity as a Santa Clara)
2 police officer; F. SAUNDERS,)
3 individually and in his capacity as a)
4 Santa Clara police officer; D.)
5 MACHADO, individually and in his)
6 capacity as a Santa Clara police)
7 officer; J. OLIVER, individually and in)
8 his capacity as a Santa Clara police)
9 officer; B. STERKEL, individually and)
10 in his capacity as a Santa Clara)
11 police officer; JOHN DOE and)
12 RICHARD ROE, individually and in)
13 their capacities as Santa Clara police)
14 officers, the true names and exact)
15 numbers of whom are unknown at)
16 this time; CITY OF SANTA CLARA,)
17 a municipal corporation,)
18
19 Defendants.)
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THE PARTIES HAVING STIPULATED, the Court hereby orders:

1. The following Defendants shall be dismissed: JOHNNY FANUCCHI (sued herein as J. FANUCCHI), ALEC LANGE (sued herein as A. LANGE), ROBERT CIRAULO (sued herein as R. CIRAULO), JOHN MASTILOCK (sued herein as J. MASTILOCK), JOHANNA GREEN (sued herein as J. GREEN), DAVID MACHADO (sued herein as D. MACHADO), and FRANK SAUNDERS (sued herein as F. SAUNDERS).

2. The parties shall continue good faith efforts to dismiss individual defendants having no direct involvement with the contact at issue alleged by Plaintiff.

3. This Order is without prejudice to Plaintiff, should she deem in good faith at a later stage in litigation that there is evidence to suggest one of the officer-defendants enumerated in Paragraph 3 did have direct involvement with her contact at issue, to apply for leave to add that (those) officer(s) back in as Defendants.

4. Plaintiff shall not be required to subpoena dismissed defendants for deposition, but may do so to the extent otherwise appropriate upon Notice.

DATED: 9/17/10


MAGISTRATE JUDGE OF THE UNITED STATES DISTRICT COURT