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5 Attorneys for Defendants
 6 CITY OF SAN JOSE, CHAD MARSHALL, WILLIAM LANSDOWNE,
 THOMAS WHEATLEY and ROBERT L. DAVIS

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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

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11 ESTATE OF CAU BICH TRAN, TOMMY
 BUI, a minor, by and through his
 12 Guardian ad Litem, DANG QUANG BUI,
 TONI BUI, a minor, by and through his
 13 Guardian ad Litem, DAN QUANG BUI,
 NGUYEN THI HOANG, and KIM MANH
 14 TRAN,

CASE NO.: C03-04997

**DECLINATION TO PROCEED
 BEFORE A MAGISTRATE JUDGE
 AND REQUEST FOR
 REASSIGNMENT TO A UNITED
 STATES DISTRICT JUDGE**

15 Plaintiffs,

16 vs.

17 CITY OF SAN JOSE, CHAD
 MARSHALL, individually and in his
 18 capacity as a police officer for the City of
 San Jose, WILLIAM LANSDOWNE,
 19 individually and in his official capacity as
 Chief or the San Jose Police Department,
 20 THOMAS WHEATLEY, individually and
 in his official capacity as Acting Chief of
 21 the San Jose Police Department,
 ROBERT L. DAVIS, individually and in
 22 his official capacity as Chief of the San
 Jose Police Department, and DOES 1
 23 through 50,

24 Defendants.

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DECLIN. TO PROCEED BEFORE A MAG.
 JUDGE AND REQ. FOR REASSIGN. TO A
 US DIST. JUDGE - C03-04997

1 REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

2 The undersigned party in the above-captioned civil matter hereby declines to consent to
3 the assignment of this case to a United States Magistrate Judge for trial and disposition and
4 hereby requests the reassignment of this case to a United States District Judge.

5 DATED: FEBRUARY 20, 2004

RICHARD DOYLE, City Attorney

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8 By /s/ Clifford S. Greenberg
 CLIFFORD S. GREENBERG
 Senior Deputy City Attorney

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10 Attorneys for Defendants CITY OF SAN
11 JOSE, CHAD MARSHALL, WILLIAM
12 LANSDOWNE, THOMAS WHEATLEY and
13 ROBERT L. DAVIS
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