

1 LAW OFFICES OF DALE K. GALIPO
 Dale K. Galipo, State Bar No. 144074
 2 21800 Burbank Boulevard, Suite 310
 Woodland Hills, California 91367
 3 (818) 347-3333 - Telephone
 (818) 347-4118 - Facsimile
 4 dalekgalipo@yahoo.com

5 Attorneys for Marylon Boyd, Individually,
 6 and as Executor of the Estate of Cammerin K. Boyd

7
 8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**

10 MARYLON BOYD, individually and as
 11 Executor of the Estate of CAMMERIN BOYD,
 ISABEL GONZALEZ, a minor by and through
 12 her Guardian Ad Litem, Isela Gonzalez, and
 KANANI BOYD, a minor by and through her
 13 Guardian Ad Litem, Kamilah Boyd,

14 Plaintiffs,

15 vs.

16 CITY AND COUNTY OF SAN FRANCISCO,
 HEATHER J. FONG, WILLIAM ELIEFF,
 17 GREGORY KANE, JAMES O'MALLEY,
 TIMOTHY PAINE, STEVEN STEARNS, and
 18 DOES 1 to 10, inclusive,

19 Defendants.

CASE NO.: CV 04-5459-MMC

**STIPULATION TO ALLOW
 AMENDMENT TO PLAINTIFFS'
 COMPLAINT TO ADD AN EIGHTH
 CAUSE OF ACTION FOR BATTERY**

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 21 **IT IS HEREBY STIPULATED** by and between the plaintiffs through their
 22 respective attorneys of record and defendants through their respective attorneys of
 23 record, that the plaintiffs be allowed to amend the complaint by adding an eighth cause
 24 of action for battery. A proposed first amended complaint with the proposed eighth
 25 cause of action for battery was sent to attorney Blake P. Loeb on October 27, 2006,
 26 and is attached hereto as Exhibit "1."

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1 The parties request that the Court accept the plaintiffs' proposed first amended
2 complaint for filing. The parties are further agreeable that the defendants' answer to the
3 plaintiffs' original complaint can be deemed the answer to the plaintiffs' first amended
4 complaint.

5 I hereby attest that I have on file all holograph signatures for any signatures indicated
6 by a "conformed" signature (/S/) within this efiled document.

8 LAW OFFICES OF DALE K. GALIPO

10 DATE: November 10, 2006

11 /S/
12 _____
13 DALE K. GALIPO
14 Attorneys for Plaintiff MARYLON BOYD,
15 Individually, and as Executor of the Estate of
16 CAMMERIN BOYD

15 LAW OFFICES OF VICKI I. SARMIENTO

17 DATE: November 12, 2006

18 /S/
19 _____
20 VICKI I. SARMIENTO
21 Attorneys for Plaintiffs ISABEL GONZALEZ, a
22 minor by and through her Guardian Ad Litem, Isela
23 Gonzalez, and KANANI BOYD, a minor by and
24 through her Guardian Ad Litem, Kamilah Boyd

23 DENNIS J. HERERA, City Attorney
24 JOANNE HOEPER, Chief Trial Attorney
25 BLAKE P. LOEBS, Deputy City Attorney

26 DATE: November 9, 2006

27 /S/
28 _____
29 BLAKE P. LOEBS
30 Attorneys for Defendants City and County of
31 San Francisco, et. al.

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IT IS SO ORDERED:

That plaintiffs be granted leave to amend the complaint by adding an eighth cause of action for battery, and allow the filing of the plaintiffs' first amended complaint with the Court. Further, that the defendants' answer to the original complaint will be deemed by the Court to be the answer to the plaintiffs' first amended complaint.

DATED: _____

HONORABLE MAXINE CHESNEY