

**UNITED STATES OF AMERICA  
IN THE DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

ERNEST FLAGG, as Next Friend of  
JONATHAN BOND, a minor,

Plaintiff,

Case No.: 05-CV-74253  
Hon. Gerald Rosen

-vs-

CITY OF DETROIT, a municipal corporation;  
DETROIT POLICE CHIEF ELLA BULLY-CUMMINGS;  
DEPUTY DETROIT POLICE CHIEF CARA BEST;  
JOHN DOE POLICE OFFICERS 1 - 20;  
ASST. DEPUTY POLICE CHIEF HAROLD CURETON;  
COMMANDER CRAIG SCHWARTZ;  
POLICE LT. BILLY JACKSON;  
MAYOR KWAME M. KILPATRICK,  
CHRISTINE BEATTY, jointly and severally

Defendants.

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**City of Detroit Law Department**  
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NORMAN YATOOMA & ASSOCIATES, P.C.

**STIPULATION AND ORDER**

WHEREAS this Court entered an Order on January 4, 2008 granting the Defendants herein, then represented solely by the City of Detroit Law Department, until January 15, 2008 to file and serve an Answer to Plaintiff's Second Amended Complaint; furthermore

WHEREAS this Court entered an Order on January 8, 2008 granting Plaintiff's Motion for Leave to File the Second Amended Complaint, the January 8, 2008 Order granted Plaintiff seven (7) days from the date of the entry of the Order to file and serve the Second Amended Complaint; furthermore

WHEREAS, based on the above two orders, (docket entries 33 and 34) Defendants were required to file and serve an Answer to the Second Amended Complaint *before* Plaintiff was required to file and serve the Second Amended Complaint; furthermore

WHEREAS on January 11, 2008 the law firm of Morganroth & Morganroth, PLLC filed its Appearance in this matter (docket numbers 35 and 36), appearing on behalf of the Defendants who had been named in and served with the First Amended Complaint which was pending at the time of the Appearance (City of Detroit, Chief Ella Bully-Cummings and Craig Schwartz); furthermore

WHEREAS on January 14, 2008 Plaintiffs filed the Second Amended Complaint which, among other things, added party Defendants; furthermore

WHEREAS Morganroth & Morganroth, PLLC has confirmed that it will be representing and appearing on behalf of two of the party Defendants who were added upon the filing of the Second Amended Complaint (Mayor Kwame M. Kilpatrick and Christine Beatty) and that they will accept service of process on their behalf; furthermore

WHEREAS Morganroth & Morganroth, PLLC has confirmed that it does not have authorization to represent or appear on behalf of the other three party Defendants who were added upon the filing of the Second Amended Complaint (Cara Best, Harold Cureton and Billy Jackson) and thus cannot accept service of process on their behalf; furthermore

WHEREAS Plaintiff's counsel and the law firm of Morganroth & Morganroth, PLLC have reached an agreement allowing the Defendants represented by the Morganroth firm twenty-one (21) days to file and serve their first responsive pleading to the Second Amended Complaint; furthermore

WHEREAS, Plaintiff's counsel requests, and Defendants' counsel does not object, to an extension of twenty-one (21) days to serve the Second Amended Complaint on Defendants Cara Best, Harold Cureton and Billy Jackson.

WHEREFORE, the Court, being fully apprised in the premises attendant to the instant Stipulation and having reviewed the above facts, the parties' request is GRANTED. The Defendants represented by Morganroth & Morganroth, PLLC shall have twenty-one (21) days from the date of entry of this Order to file and serve their first responsive pleading to Plaintiff's Second Amended Complaint. Furthermore, Plaintiff shall have an extension of twenty-one (21) days from the date of entry of this Order to serve Deputy Detroit Police Chief Cara Best, Assistant Deputy Police Chief Harold Cureton and Police Lt. Billy Jackson with the summons and Second Amended Complaint.

IT IS ORDERED.

Dated: January \_\_\_\_, 2008

\_\_\_\_\_  
United States District Court Judge

Approved as to form and substance,

Robert Zawideh w/permission (PDR)

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