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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

STEVEN ANGELL, MILES AVERY,
MOLLY BATCHELDER, SRI LOUISE
AKA LOUISE COLES, CICILY COOPER,
SHAREEF ELFIKI, THEODORE
HEXTOR, and LINDSAY WEBER,
individually and on behalf of others similarly
situated,

Plaintiffs,

vs.

CITY OF OAKLAND, COUNTY OF
ALAMEDA, HOWARD JORDAN,
JEFFREY ISRAEL, ERIC BRESHEARS,
RON YELDER, DARREN ALLISON,
STEVE TULL, EDWARD TRACEY,
ANTHONY RACHAL, SEAN WHENT,
GREGORY J. AHERN, BRETT KETELES,
CARLA KENNEDY, DAVID BRADY,
GREGORY L. MORGADO, KERRY
JACKSON, DOES 1-250,

Defendants.

Case No. C13-0190 NC

~~[PROPOSED 3rd]~~ THIRD
ORDER OF EXONERATION AND FOR
SEALING AND DESTRUCTION OF
ARREST RECORDS, AND FOR
WITHDRAWAL AND DESTRUCTION OF
DNA SAMPLES

Pursuant to the Stipulation of the City of Oakland and Chief of Police Whent on behalf of the arresting agency, the Oakland Police Department; this Court hereby EXONERATES and finds each of the persons listed below FACTUALLY INNOCENT of all charges for which they were arrested by the Oakland Police on January 28, 2012.

This Court, having found the below-listed persons to be factually innocent of the charges for which the arrests were made, orders Defendants, the Department of Justice, and any other law enforcement agency which participated in the arrest of the below named individuals on January 28, 2012, to seal all records of their arrest on January 28, 2012, and to destroy said records. [Cal. Penal Code §858.1 (b)]

1 The destruction of arrest records pursuant to this Court’s order shall be accomplished
2 by permanent obliteration of all entries or notations upon the records pertaining to the arrest,
3 and the record shall be prepared again so that it appears that the arrest never occurred.
4 However, where the only entries on the record pertain to the arrest and the record can be
5 destroyed without necessarily affecting the destruction of other records, the document
6 constituting the record shall be physically destroyed. [See Cal. Penal Code §851.8(j)]

7 For those individuals who were charged with a felony and were required to provide a
8 DNA sample prior to release, said DNA profiles shall be expunged and all such DNA
9 samples withdrawn and destroyed.

10 The arrests of the below-listed persons on January 28, 2012 are deemed not to have
11 occurred and pursuant to this Court’s order, the below-listed persons may answer accordingly
12 any question relating to its occurrence. [See Cal Penal Code §851.8(f)]

13 Plaintiffs are ordered to file, under seal, a more detailed list of the below-listed persons
14 which will include their dates of birth and Alameda County Sheriff’s identification numbers
15 provided (PFN numbers). Plaintiffs shall serve a copy to Defendants for the sole purpose of
16 facilitating arrest expungement and DNA withdrawal pursuant to this Court’s
17 order. Defendants will provide a copy of the Court order to the California Department of
18 Justice, along with the detailed list of Plaintiffs and of all Claimants, and advise said agency
19 of the fact that the records of their January 28, 2012 arrests have been rendered obsolete on
20 the basis of a finding of factual innocence pursuant to Penal Code § 851.8, which shall
21 include expungement of all DNA profiles obtained and to request that any DNA samples be
22 withdrawn and destroyed.

23 PERSONS WHO ARE FOUND FACTUALLY INNOCENT AND EXONERATED:

24 A. Charged with Misdemeanor(s)

25 Miles Avery

26 Molly Batchelder

27 Cicily Cooper

28 Shareef Elfiki

Theodore Hexter

1 Sri Louise Aka Louise Coles
2 Lindsay Weber
3 Emily Elizabeth Algire
4 Ward Robert Anderson
5 Amanda Armstrong-Price aka Matthew Palmer Armstrong
6 Ariella Aronstam-Powers aka Ariella Powers
7 Joseph Michael Barrett
8 Anna Basalaev-Binder aka Anna Basalacy-Binder
9 Russell George Bates
10 Sarah Baracks
11 Dixon Beatty Aka Ramsey Dixon Beatty
12 Kimberly Michelle Beavers
13 Stella Fay Beckman
14 Jeremy James Begin
15 Philip Bene
16 Kelsey Elisabeth Berg
17 Noah Kenney Berlove
18 Barbara Anne Bettenburg
19 Sarah Danielle Bird
20 Lara Bitar
21 Dan Sigurl Borgstrom
22 Kevin Brackett
23 Michael Shane Boyle
24 Benjamin James Braley
25 Benjamin Drew Breedlove
26 Joseph Paul Briones
27 Mengesha Lee Brody aka Brody Mengesha Lee
28 Kristopher Halliday Brown
Claire Megan Buss

1 Rachael Jennifer Byrne
2 David Ryan Cantor
3 Angel Faith Castellon
4 Vanessa Zoe Ceja
5 Yael Chanoff
6 Louis Dominic Chavez
7 Christopher Chitty
8 Honest Chung
9 Michael Thomas Clemmons
10 John Piers Cliffe Aka Bobby Donnehoo
11 Joshua Clover
12 Laura Elizabeth Copeland
13 Angela Marie Coppola
14 Marjorie Coshnear
15 Shalin Mikkol Craig
16 Evan Cassidy Cross
17 Rebecca Crump
18 Lisa Curran
19 Isaac Walker Dalto
20 Clara Sage Daims
21 Michael Kahoku Damaso
22 Kristopher L. Daum
23 Dylan O'Brien Davis
24 Carl John Davison
25 Allison Christine Deger
26 Sarah Denton
27 Eric Ernesto DeSouza
28 Zerena Yesenya Diaz
Florence Lewbel Dickerson

1 Cannon Dill
2 Sandy Park Dimalanta
3 Tyler James Disney
4 Nicholas Doliber
5 Robert Larry Donohoe
6 Charles Power Dubbe
7 David Kenneth Easlick
8 Michelle Simone Edwards
9 Alyssa Theia Eisenberg
10 John Barton Elliott
11 Scott C. Elliott
12 Natalie Excoffier
13 Gaie Ezer
14 Ryan Rutherford Farley
15 Steven Farmer
16 David Firestein
17 Michael James Fitzpatrick
18 Lorea Emmanuelle Ruth Foinels
19 Emily Rose Fowler
20 Jackson James Fowler
21 Nathaniel Freiburger
22 Gabriella Johnston Fritz
23 Jackqueline Frost
24 Cailyn Ariel Furrer
25 Jeff David Galvao Aka Jeffrey David Calvao
26 Max Gasner
27 Juan Manuel Garcia
28 Jacob Matthew Gelender
Stephan Georgiou

1 Kim Lindale Gibler
2 Brian Francis Crow Glasscock
3 Diego Glusberg
4 Jessica N. Golden
5 Augustine Tino Gonzales
6 Michael Wesley Grace
7 Rebecca Dayle Greene
8 Zachary Seth Greer
9 Zachary Haber
10 Michael Christian Haley
11 Karen Lee Hancock
12 Courtney Hanson
13 Dylan Hararah
14 Jamie Leroy Harris
15 Thomas Andrew Helme
16 Jose Hernandez
17 Joshua Scott Hewitt
18 Tyler Anthony Hinton
19 Hannah Lee Hoffman
20 Sarah Hollman
21 Sara Husain
22 Emily Ingraham
23 Miles Ingraham
24 Keli Iwamoto
25 Cody James
26 Spencer Janyk
27 Francis Jervis
28 Allyson Elizabeth Johnson
Brigitte Anne Johnson

1 Deanna Rose Johnson
2 Jedediah Michael Johnson
3 Lauren Elizabeth Johnson
4 Leslie Margaret Johnson
5 Paula Graciela Kahn
6 Morgan Andrea Geissler Kanninen
7 Melvin Murice Kelley aka Melvin Maurice Kelley
8 Orion Jason Andrew Kellogg
9 Kyle Clifford Kessler
10 Nora Khouri
11 Alexander SunYoung Kim
12 Walter Kim
13 Jacquelyn Kingkade
14 Spencer Lawrence Kobylka
15 David Lawrence Kubicz
16 Matt W. Lambert
17 Clare Bridget La Presle
18 Samuel Phillip Lavigne
19 Robert Patrick Lee
20 Ryan Giljuu Lee
21 Alan Hazel Legorreta
22 Claire Julietta Lesnick aka Claire L. Lesnick
23 Martha Louise Lincoln
24 Evan Frank Loker
25 Omar Lopez
26 Amanda Grace Low
27 Jennie Hang Lu
28 Martin A. Mackerel
Callie Elizabeth Maidhof

1 Kimberly Marks
2 Richard Allen Marler
3 Gricelda Gutierrez Martin
4 Elena Martinez
5 Cepano Mashiahof
6 Dustin Paolo Matchett-Morales aka Dustin Matchett
7 Thomas William Matzat
8 Lucas Cole McCabe
9 Nicholas Cole McClung
10 John Woodson McComb
11 Gregory Eugene McGarry
12 Alexander McGee
13 Terrence John McNamara
14 Floyd Dewane Montgomery Jr.
15 David Montoya
16 Emily Morrison
17 Jean Ritchie Mortensen
18 Selmane Naitamar
19 John Neesbye-Hansen Aka John Hansen
20 Jonathan Nelson
21 Celeste Obomsawin
22 William Finnin O'Connor aka William Finuin Connor
23 Carla Orendorff
24 Varun Pande
25 Jack Alexander Perkins
26 Adrienne Pigula aka Adruabbe Barber Pigula
27 Nathan Pitts
28 Christina Plumb
Gregory Michael Plummer

1 Antal Csaba Polony
2 Steven A. Porter
3 Lane Cody Powell
4 Jeb Purucker
5 Magali Rabasa
6 Sarah Radford
7 Katie Rapp
8 Ina Adele Ray
9 Christian A. Ream
10 William Heman Joachin Regalado
11 Naomi Masako Reagan
12 Jessica Andrea Rey
13 Jill Christine Richards
14 Forrest Ripley-Phipps
15 Muneeza Rizvi
16 Kevin Thomas Robishaw
17 Daniel Rodis
18 Amanda Naiara Rodriguez-Archer
19 Kimberly Renne Rojas
20 Theocharis Theodosiou Roussos
21 Donovan Russell
22 Justin Alan Ryan
23 Lauren Quinn Salter
24 Azusa Sato
25 Katherine Scheel
26 Peter Scherer
27 Jan Schifter
28 Javier Jeffery Sethness
Ian David Sharp

1 Leah Z. Sharp
2 Douglas M. Schneider
3 Michael Joseph Shane
4 Michael Alexander Shortt
5 Gabrielle Silverman
6 William Macarthur Skewes-Cox
7 Matthew Aaron Smaldone
8 Carlton **Ray** Smith
9 Lauren Smith
10 William F. Sonne
11 Yasin Frank Southall
12 Frank Rogers Sowokinos
13 Andrew Blake Spencer
14 Stasha Stahl
15 Zachary Stevens
16 Nellie Stokeld
17 Janice Yvonne Suess
18 Karolina Szymanska
19 Kevin Takalo
20 Brandon Tauszik
21 Owen Thaxton
22 Jennifer April Tifft
23 Kenji Tomari
24 Justin Tombolesi
25 Jordan Matthews Towers
26 Wendy Trevino
27 Benjamin Truskier
28 Bernardo David Tubbs
Celeste Turconi Aka Celeste Brodie

1 Michelle Renee Ty
2 Jeremy Lawrence Tyler
3 Daniela Urban
4 Randy Utz
5 Daphne Vander Decken
6 Cameron Mark Vanderscoff
7 Matthew Van Saun
8 Vishrut Arya aka Arya Vishrut
9 Rebecca VonBehren
10 Meghan VonGrempp
11 Adam M. Weathers
12 Matthew Weathers
13 Courtney Wentz
14 Bryan Andrew Westfall
15 Alexander White
16 Nyle White
17 Edward Wildanger
18 Randolph Wilkins
19 Ann Wilkismeyer
20 Damon Williams
21 Jami Williams
22 Cole Willsea
23 Terence Yancey
24 Jingtian Yu
25 Muchq Ali Zaidi
26 Patria Zandi
27 Laura Zelko
28 Sami Zerrade
Noah Y. Zimmerman

1 Michael Scott Davis

2 Olivia Gubser

3 Genesis Quiroz

4 B. Charged with Misdemeanor and Felony and DNA Sample Taken

5 Steven Angell

6 Anwar Adem

7 Hadas Alterman

8 Freydoon Azimi

9 Nicholas Neal Barclay-Havlin

10 Hanora Rochelle Bauer aka Manora Bauer

11 Sean Paul Betouliere

12 Ian Van Billett

13 Nadine Sofia Brennan

14 Adam Troy Briggs

15 Dylan Alexander Brignon

16 Everardo Bautista Calderon

17 Dante Cano

18 Tobi Geyl Chase

19 Gildo Louis Epis Jr.

20 Eric Leighton Forsman

21 Joesph Leonard Glasner

22 Anastasia Gomes

23 Lev Gorelov aka Lev Yui Goelov

24 Susan Lea Guarmagnotti aka Susan Lea Quarm-Magnotti

25 Clint Anthony Hayden

26 Jessamyn Hannah Hise

27 Sean Patrick Keaveny

28 Taylor Anne Kohles

Fatima Maria Macdonald

1 Laura Renata Martin
2 Ethan Sawyer McHugh-Merrill
3 Edward F. Miller
4 Jose Montenegro
5 Maria Isabel Montenegro
6 William Finnin O'Connor aka William Finuin Connor
7 Donna Maribel Olivera
8 Dennis Ray Powell Jr.
9 Mohamed Ali Shehk
10 Ian Michael Steinman
11 Geoffrey Thorton aka Adeline Cora Tealle
12 Michael Veremans
13 Hannapesha Wolman-Clapsadle aka Hanna Clapsadle aka Hannapesha Weber
14 IT IS SO ORDERED.

15 Dated: April 7, 2015

