

1 S. Frank Harrell, Esq. [State Bar No. 133437]
David D. Lawrence, Esq. [State Bar No. 123039]
2 Raymond Szu, Esq. [State Bar No. 210019]
Jason S. Roberts, Esq. [State Bar No. 221978]
3 FRANSCELL, STRICKLAND, ROBERTS & LAWRENCE
A Professional Corporation
4 500 North State College Boulevard, Suite 1350
Orange, California 92868-1604
5 Telephone No. (714) 456-0180
Facsimile No. (714) 456-0181

FILED
MAR 13 2003
CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION AT SANTA ANA
BY *[Signature]* DEPUTY

6 Steven C. Miller, Esq. [State Bar No. 112951]
7 OFFICE OF THE COUNTY COUNSEL
COUNTY OF ORANGE
8 10 Civic Center Plaza, 4th Floor
P.O. Box 1379
9 Santa Ana, California 92702-1379
Telephone No. (714) 834-3300
10 Facsimile No. (714) 834-2359

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MAR 12 2003
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CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION AT SANTA ANA
BY *[Signature]* DEPUTY

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11 Attorneys for Defendants,
12 COUNTY OF ORANGE and SHERIFF MICHAEL S. CARONA

13 **UNITED STATES DISTRICT COURT**

14 **CENTRAL DISTRICT OF CALIFORNIA**

15 FRED PIERCE, TIMOTHY LEE CONN,
MAX SANDERS, FERMIN VALENZUELA,
16 LAURIE D. ELLERSTON, JONATHAN
NELSON, ADAM RAMIREZ,
17 Individually, and as a Class
Representative, and all those
18 similarly situated,

19 Plaintiffs,

20 vs.

21 COUNTY OF ORANGE, a Governmental
22 Entity; MICHAEL S. CARONA,
23 Individually; and DOES 1 through
24 200, Inclusive,

25 Defendants.

) Case No. SACV 01-981 GLT(MLGx)

) **STIPULATION TO DISMISS "OVER-
DETENTION CLAIMS" OF ALL
PLAINTIFFS EXCEPT PLAINTIFF
FRED PIERCE; [PROPOSED] ORDER**

) Discovery Cut-Off: 08/07/03
) Pre-Trial Conference: 09/07/03
) Trial Date: 12/2003

) **MATTER FOR DETERMINATION BY
THE HONORABLE GARY L. TAYLOR**

ENTER ON ICMS
3-14-03
MAR 14 2003
[Signature]

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STIPULATION

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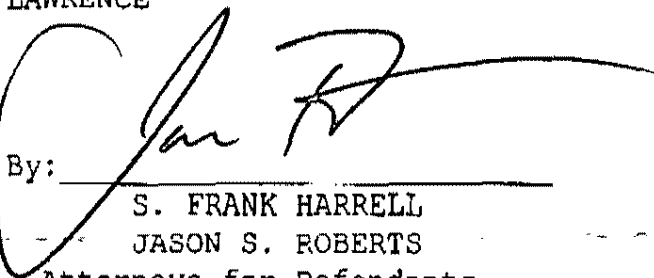
IT IS HEREBY STIPULATED BY AND AMONG ALL PARTIES as follows:

Plaintiffs Timothy Lee Conn, Max Sanders, Fermin Valenzuela and Laurie D. Ellerston are not asserting any over-detention claims against Defendants County of Orange and Michael S. Carona in this matter and, therefore, any such claims should be dismissed. In the context of this litigation, the parties agree that the term "over-detention" means an unreasonable delay in the release of an inmate.

IT IS SO STIPULATED.

Dated: March 11, 2003

FRANSCCELL, STRICKLAND, ROBERTS & LAWRENCE

By: 

S. FRANK HARRELL
JASON S. ROBERTS
Attorneys for Defendants,
COUNTY OF ORANGE and SHERIFF
MICHAEL S. CARONA

Dated: March 6, 2003

LITT & ASSOCIATES

By: 

BRYAN B. MILLER
Attorneys for Plaintiffs

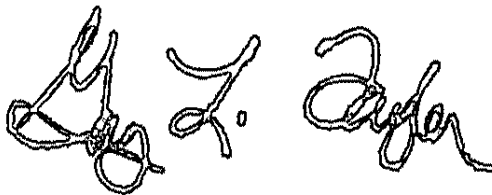
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~~PROPOSED~~ ORDER

Based on the stipulation of the parties and good cause appearing therefore, the Court now rules as follows:

Plaintiffs Timothy Lee Conn, Max Sanders, Fermin Valenzula and Laurie D. Ellerston are not asserting any over-detention claims, as defined by the parties, against Defendants County of Orange and Michael S. Carona and, therefore, any such claims are dismissed.

IT IS SO ORDERED.



DATED: 3/13/03

Honorable Gary L. Taylor
United States District Judge

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I, Nicolle A. Stortz, am employed in the aforesaid County, State of California; I am over the age of 18 years and not a party to the within action; my business address is 500 North State College Blvd., Suite 1350, Orange, California 92868.

On March 12, 2003, I served the foregoing **STIPULATION TO DISMISS FOURTH CAUSE OF ACTION IN PLAINTIFF'S COMPLAINT; [PROPOSED] ORDER** on the interested parties in this action by placing a true copy thereof, enclosed in a sealed envelope, addressed as follows:

SEE ATTACHED LIST.

X BY MAIL

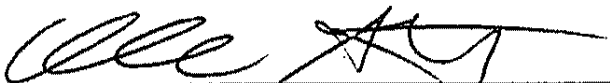
— I placed such envelope for deposit in the U.S. Mail for service by the United States Postal Service, with postage thereon fully prepaid.

X As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Orange, California, in the ordinary course of business.

— BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the offices of the addressee. **PROOF OF SERVICE TO BE FILED.**

X (Federal) I declare under penalty of perjury that the foregoing is true and correct, and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on March 12, 2003, at Orange, California.



Signature of Declarant

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Pierce v. County of Orange

Dan Stormer, Esq.
HADSELL & STORMER, INC.
128 North Fair Oaks Avenue
Suite 204
Pasadena, California 91103

Richard P. Herman, Esq.
PRISONERS RIGHTS UNION
Attorney at Law
301 Forest Avenue
Laguna Beach, CA 92652

Barrett S. Litt, Esq.
Bryan B. Miller, Esq.
LITT & ASSOCIATES
3435 Wilshire Blvd.
Suite 1100
Los Angeles, CA 90010-1912

Steven C. Miller, Esq.
OFFICE OF THE COUNTY COUNSEL
COUNTY OF ORANGE
10 Civic Center Plaza, 4th Floor
P.O. Box 1379
Santa Ana, California 92702-1379