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Attorneys for Defendants City of Carlsbad, Claude
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Kulchin, Ronald Ball, Lisa Hildabrand, Scott Meritt,
Bruce May, Bill Rowland, Neil Gallucci, Gary
Morrison, Travis Lambert, Jeff Chapman, Chris Boyd,
and Richard Galanos Jr.

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

RICHARD A. SHAPIRO,
Plaintiff,

v.

CITY OF CARLSBAD; Elected Official
CLAUDE A. LEWIS; Elected Official
MATT HALL; Elected Official MARK
PACKARD; Elected Official KEITH
BLACKBURN; Elected Official ANN J.
KULCHIN; City Attorney RONALD R.
BALL; City Manager LISA
HILDABRAND; Police Officer
S. M. MERIT (#5250); Police Officer
B. E. MAY (#5192); Police Officer
B. ROWLAND (#5144); Police Officer
N. GALLUCI (#5194); Police Officer
G. MORRISON (#5421), Police Officer
T. LAMBERT (#5282); Police Officer

Case No.: 11-cv-01080-CAB-(KSC)

**DEFENDANTS' SUPPLEMENTAL BRIEF
PER MARCH 21, 2012 ORDER**

Judge: Hon. Cathy Ann Bencivengo
Courtroom: E
Trial Date: October 15, 2012
Magistrate: Hon. Karen S. Crawford

1 J. CHAPMAN (#5166); Police Officer
2 C. BOYD (#5165); Police Officer
3 R. GELANO (#5198),
4
5 Defendants.

6 Pursuant to this Court's March 21, 2012 Order [Document 149], Defendants were
7 permitted to file supplemental briefing regarding the dispositions of two substantially related
8 Superior Court actions for purposes of the May 25, 2012 motions hearings.

9 In accordance with that Order, Defendants have already filed supplemental briefing
10 regarding the Superior Court's February 17, 2012 Order in related state matter (Case No. 37-
11 2010-00059017-CU-CR-NC). [Documents 151-153].

12 However, Defendants will be unable to file supplemental briefing regarding the Superior
13 Court's April 27, 2012 motions hearing in state matter (Case No. 37-2010-00060267-CU-CR-NC)
14 before May 11, 2012, as previously ordered. At the outset of the Superior Court's April 27, 2012
15 motions hearings, Judge Thomas Nugent advised plaintiff that in response to comments by
16 plaintiff at a previous discovery hearing and statements made in plaintiff's recently filed motion to
17 remove/disqualify Judge Nugent, the court had requested the presence of deputy sheriffs and a
18 sheriff's detective in the courtroom. Judge Nugent did not decide the motions, as expected.
19 Before deciding the pending cross-motions for summary judgment, the court permitted plaintiff an

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1 additional 10 days to respond to the court's actions, and then continued the motions hearings until
2 May 18, 2012. With leave of this court, Defendants will file their supplemental papers regarding
3 the disposition of the May 18, 2012 motions hearings no later than May 21, 2012.

4 Dated: May 1, 2012

Daley & Heft, LLP

5
6 By: s/Samuel C. Gazzo

7 Mitchell D. Dean

8 Samuel C. Gazzo

9 Attorneys for Defendants City of Carlsbad,
10 Claude Lewis, Matt Hall, Mark Packard,
11 Keith Blackburn, Ann Kulchin, Ronald
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