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Attorneys for Defendants
CHANNEL STAR EXCURSIONS, INC. and
BRIAN GERHART

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

WAVERLY WALTON, SR. individually and as successor in interest to FRED WALTON, deceased, Plaintiffs, v. CHANNEL STAR EXCURSIONS, INC.; BRIAN GERHART, individually and as a principal of CHANNEL STAR EXCURSIONS, INC.; RON COURSEY and Does 1 - 100, Defendants.	Case No. 2:05-cv-1737-MCE-PAN **STIPULATION AND ORDER GRANTING DEFENDANTS CHANNEL STAR EXCURSIONS, INC. AND BRIAN GERHART LEAVE TO FILE A CROSS-COMPLAINT AGAINST THE CITY OF SACRAMENTO**

IT IS HEREBY STIPULATED, by and between defendants CHANNEL STAR EXCURSIONS, INC., BRIAN GERHART, individually and as a principal of CHANNEL STAR EXCURSIONS, INC. (collectively "DEFENDANTS"), by and through their designated counsel of record herein, Gibson Robb & Lindh, LLP, and plaintiff WAVERLY WALTON, SR., by and through his designated counsel of record herein, The Lawson Law Offices, that DEFENDANTS may have leave to file a cross-complaint seeking indemnity from the City of Sacramento.

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Leave is appropriate, because when DEFENDANTS initially appeared in this matter they had not yet made a claim against the City of Sacramento who owned the dock where the incident occurred. After further investigation, DEFENDANTS made a claim under the California Government Code seeking indemnity from the City. The claim was rejected on March 10, 2006, giving DEFENDANTS until September 10, 2006 to file a cross-complaint. DEFENDANTS now wish to move forward with the cross-complaint. A true and correct copy of the proposed cross-complaint is attached hereto as Exhibit "A."

IT IS SO STIPULATED.

Dated: August 29, 2006

LAWSON LAW OFFICES

By: S/ ANTONIO M. LAWSON
Antonio M. Lawson, Esq.
Attorneys for Plaintiff
WAVERLY WALTON, SR. individually and as successor in interest to FRED WALTON, deceased

Dated: August 30, 2006

GIBSON ROBB & LINDH LLP

By: S/ MARKER E. LOVELL, JR.
Marker E. Lovell, Jr., Esq.
Attorneys for Defendants
CHANNEL STAR EXCURSIONS, INC. and BRIAN GERHART

IT IS SO ORDERED.

DATED: September 6, 2006

MORRISON C. ENGLAND, JR
UNITED STATES DISTRICT JUDGE