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13 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

14 FOR THE COUNTY OF LOS ANGELES

15 CENTRAL DISTRICT

16 ANTHONY MARIO ASSENZA, et al. ) CASE NO. BC115813  
17 Plaintiffs and Petitioners, ) [Assigned to the Hon. Terry A. Green, Dept. 14]  
18 )  
19 vs. ) **[PROPOSED] ORDER CONSOLIDATING**  
20 ) **ACTIONS**  
21 THE CITY OF LOS ANGELES, et al. ) Hearing Date/Time: August 18, 2011  
Time: 8:45 a.m.  
22 Defendants and Respondents. ) Dept. No.: 14  
Hearing Judge: Hon. Terry Green

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23 )  
24 DAVID R. DAVIS an individual, JACOB ) CASE NO. BS131915  
DANIEL HILL an individual, BRIAN ) [Assigned to the Hon. James C. Chalfant, Dept.  
25 GOLDSTEIN an individual, PAUL COHEN ) 85]  
an individual, JILL BROWN an individual, )  
26 CHRIS BUTLER an individual, SCOTT )  
AUSTIN an individual, ERIC FEDER an )  
27 individual, LISA SIEGEL an individual, *et* )  
*al.*, )  
28 Plaintiffs and Petitioners, )  
vs. )

1 CITY OF LOS ANGELES; CITY OF LOS )  
 ANGELES POLICE DEPARTMENT; )  
 2 POLICE CHIEF CHARLIE BECK, in his )  
 capacity as a Managing Agent of City of Los )  
 3 Angeles Police Department; and DOES 1- )  
 500, Inclusive, )  
 4 )  
 Defendants and Respondents. )  
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6 The motion of Plaintiffs/Petitioners in *Anthony Mario Assenza, et al. v. The City of Los*  
 7 *Angeles, et al.*, Case No. BC115813, requesting consolidation of that action with *David R. Davis,*  
 8 *et al. v. The City of Los Angeles, et al.*, Case No. BS131915, for all purposes, came on for hearing  
 9 in Department 14 of this Court on August 18, 2011.

10 Appearances were as follows:

11 In *David R. Davis, et al. v. The City of Los Angeles, et al.*, Case No. BS131915, Michel &  
 12 Associates, P.C. appeared on behalf of Plaintiffs/Petitioners David R. Davis, Jacob Daniel Hill,  
 13 Brian Paul Sohan Goldstein, Paul Cohen, Scott Austin, Jill Brown, Lisa Siegel, Chris Butler, and  
 14 Eric Feder. Debra L. Gonzales appeared on behalf of Defendants/Respondents City of Los  
 15 Angeles, the City of Los Angeles Police Department (“LAPD”), the LAPD Chief of Police, and  
 16 the LAPD’s Board of Police Commissioners.

17 In *Anthony Mario Assenza, et al. v. The City of Los Angeles, et al.*, Case No. BC115813,  
 18 Michel & Associates, P.C. appeared on behalf of Plaintiffs/Petitioners Anthony Mario Assenza,  
 19 Robert James Byrant, William Arthur Crawford, Paul Steven Dwan, Bruce Harold Edelman,  
 20 Ology Erle Gibson, Terry Homer Harden, Richard Alan Hochberg, Burton Charles Jacobson,  
 21 Thomas Michael Kutrosky, Yarom Limor, Marshall Clifford Mars, John R. Martin, Robert  
 22 Kellogg Miller, Michael Scott Ontiveros, Ted Pasternack, Victor Donald Rappoport, Jessee  
 23 Donald Rich, Jerome Martin Rodensberg, Joel C. Schlossman, Nathan David Schlossman, Carlos  
 24 Sedillo, Sanford Shire, Bernice Sharon Silver, Richard Clayton Temme, John Harris Thaler,  
 25 Donna Lynne Thomas, Gary Brian Tigar, Kent Lee Turnipseed, David Alan Yochelson. Debra L  
 26 Gonzales appeared on behalf of Defendants/Respondents City of Los Angeles, the LAPD, the  
 27 LAPD Chief of Police, and the LAPD’s Board of Police Commissioners.

28 Having read the motion, the memoranda and declarations filed by all parties, and having

1 heard argument of counsel, the Court finds that the issues of law and fact underlying *Assenza* and  
2 *Davis* are common to both cases, that consolidation will not be unduly burdensome, and that  
3 consolidation will not adversely affect the rights of any party.

4           THEREFORE, IT IS ORDERED THAT the consolidation motion is granted. *Anthony*  
5 *Mario Assenza, et al. v. The City of Los Angeles, et al.*, Case No. BC115813 and *David R. Davis,*  
6 *et al. v. City of Los Angeles, et al.*, Case No. BS131915 shall be tried together in a single trial in  
7 Department 14 of this Court. A copy of this order shall be filed in both actions but all further  
8 pleadings shall be filed only in Case No. BC115813 and shall be entitled *Anthony Mario Assenza,*  
9 *et al. v. The City of Los Angeles, et al.*

10           IT IS FURTHER ORDERED THAT \_\_\_\_\_  
11 \_\_\_\_\_  
12 \_\_\_\_\_  
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14 Dated: \_\_\_\_\_  
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16 \_\_\_\_\_  
17 Honorable Terry A. Green  
18 JUDGE OF THE SUPERIOR COURT  
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PROOF OF SERVICE

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

I, Claudia Ayala, am employed in the City of Long Beach, Los Angeles County, California. I am over the age eighteen (18) years and am not a party to the within action. My business address is 180 East Ocean Blvd., Suite 200, Long Beach, California 90802.

On July 19, 2011, I served the foregoing document(s) described as

**[PROPOSED] ORDER CONSOLIDATING ACTIONS**

on the interested parties in this action by placing  
[ ] the original  
[X] a true and correct copy  
thereof enclosed in sealed envelope(s) addressed as follows:

**“SEE ATTACHED SERVICE LIST”**

X (BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under the practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Long Beach, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date is more than one day after date of deposit for mailing an affidavit.  
Executed on July 19, 2011, at Long Beach, California.

— (PERSONAL SERVICE) I caused such envelope to delivered by hand to the offices of the addressee.  
Executed on July 19, 2011, at Long Beach, California.

— (OVERNIGHT MAIL) As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for overnight delivery by UPS/FED-EX. Under the practice it would be deposited with a facility regularly maintained by UPS/FED-EX for receipt on the same day in the ordinary course of business. Such envelope was sealed and placed for collection and delivery by UPS/FED-EX with delivery fees paid or provided for in accordance.  
Executed on July 19, 2011, at Long Beach, California.

X (STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

— (FEDERAL) I declare that I am employed in the office of the member of the bar of this court at whose direction the service was made

  
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CLAUDIA AYALA

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“SERVICE LIST”

*ANTHONY MARIO ASSENZA, et al. v. THE CITY OF LOS ANGELES, et al.*

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