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11 **BOARD OF SUPERVISORS**
12 **ETHICS COMMISSION**
13 **CITY AND COUNTY OF SAN FRANCISCO**
14

15 IN RE MAYOR EDWIN LEE'S CHARGES)
16 OF OFFICIAL MISCONDUCT AGAINST)
17 SHERIFF ROSS MIRKARIMI)
18)
19)
20)

**SHERIFF'S SUMMARY OF
STIPULATIONS AND REMAINING
DISPUTES REGARDING
DECLARATIONS OF NANCY LEMON
AND ELIANA LOPEZ**

21
22 After meeting and conferring, the parties have agreed on the following points regarding
23 the declarations submitted by Nancy Lemon and Eliana Lopez.

24 Declaration of Nancy Lemon

25
26 The Sheriff continues to maintain a relevance objection to this declaration in its entirety.
27 However, the parties have agreed that objections may be sustained to that portion of paragraph 4,
28 on page three at lines 1-2, i.e., bullet point vii.

1 Additionally, the parties agree that objections may be sustained to paragraphs
2 185-190 inclusive.

3
4 The Sheriff continues to object to bullet point vi in paragraph 4 at page 3, line 27
5 on relevance grounds.

6 Declaration of Eliana Lopez

7
8 With respect to this declaration, there are more disagreements but also significant
9 stipulations. We address these in numerical order of the paragraphs.

10 **Para. 5**

11
12 The parties agree that objections may be sustained to the second half of this paragraph,
13 beginning after the word “communication” on page 2, line 1. The parties further agree that this
14 paragraph is admissible solely to show Ms. Lopez’ state of mind and explain her actions, and for
15 no other purpose.

16 **Para. 6**

17
18 The parties agree that objections may be sustained to the portion of the sentence at 2:7
19 beginning with “and that” and ending with “attorney.” However, the parties intend to argue the
20 admissibility of the remainder of the paragraph. The Sheriff contends that it is relevant to show
21 the basis of Ms. Lopez’ belief that Ms. Madison was an attorney.

22 **Para. 7**

23 The parties agree that objections may be sustained to the sentence at 2:10-11 which states
24 “Ivory dispensed legal advice to me.”

25 **Para. 10**

26 The parties intend to argue the admissibility of this paragraph, with the exception of the
27 last sentence at 3:1-2. The parties agree that objections may be sustained to the last sentence of
28 the paragraph.

1 **Para. 12**

2 The parties agree that objections may be sustained to this entire paragraph.

3 **Para. 13**

4 The parties agree that objections may be sustained to the following portions of this
5 paragraph:

6 3:22-24, beginning with “because this” and ending with “woman for him.”

7 3:25, “Ivory ignored me.”

8 3:25-26, “as my attorney.”

9 3:28 to 4:1, “Ivory did not listen to me.”

10 4:1-2, “That was the only statement that stopped her, and”

11 **Para. 14**

12 The parties agree that objections may be sustained to 4:11 through 4:13, beginning with
13 “Perhaps” and ending with “custody.”

14 **Para. 15**

15 The parties agree that objections may be sustained to 4:14-17, beginning with “Callie”
16 and ending with “December 31, 2011.”

17 Also, objections may be sustained to 4:18-23, beginning with “Finally” and ending with
18 “Callie.”

19 **Para. 16**

20 The parties agree that objections may be sustained to 4:25 to 5:1, beginning with “I
21 believed” and ending with “development.”

22 **Para. 17**

23 The parties agree that objections may be sustained to this entire paragraph.

24 **Para. 19**

25 The parties agree that objections may be sustained to 5:12-13, “Ms. Haynes is a domestic
26 violence counselor and”.

27 **Para. 21**

28 The parties will argue the admissibility of this paragraph.

1 **Para. 24**

2 The parties agree that objections may be sustained to 6:1-3, Beginning with “Ross” and
3 ending with “video.”

4 **Para 25**

5 The parties will argue the admissibility of this paragraph.

6 **Para. 26**

7 The parties agree that objections may be sustained to this entire paragraph.

8 **Para. 28**

9 The parties agree that objections may be sustained to 6:26, “a better and better parent to
10 Theo.” The parties will argue the admissibility of the remainder of this paragraph.

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13
14 Dated: July 17, 2012

By: /s/ David P. Waggoner
 DAVID P. WAGGONER

 /s/ Shepard S. Kopp
 SHEPARD S. KOPP

 Attorneys for
 SHERIFF ROSS MIRKARIMI