EXHIBIT M

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1
                      UNITED STATES DISTRICT COURT
2
                     NORTHERN DISTRICT OF CALIFORNIA
3
                         SAN FRANCISCO DIVISION
4
5
             JOHN BAUER, an
                                       )
             individual and as
             Successor in Interest of )
7
             Jacob Bauer, deceased;
             ROSE BAUER, an
                                      )Case No.
             individual and as
8
                                      )3:19-cv-04593-LB
             Successor in Interest of )
9
             Jacob Bauer, deceased,
10
                      Plaintiffs,
11
                  vs.
12
             CITY OF PLEASANTON,
             BRADLEE MIDDLETON;
13
             JONATHAN CHIN; RICHARD
             TROVAO; STEVEN BENNETT;
14
             ALEX KOUMISS; JASON
             KNIGHT; MARTY BILLDT;
15
             DAVID SPILLER; and DOES
             1 to 50, inclusive;
16
                      Defendants.
17
18
19
                      REMOTE VIDEOTAPED DEPOSITION
20
                                   OF
21
                       RODOLFO CESAR GRANADOS, JR.
22
                        Monday, January 25, 2021
23
                         Pleasanton, California
24
25
         Reported by: B. Suzanne Hull, CSR No. 13495
                                                 Page 1
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1		APPEARANCES
2		
3		
4		
	For Plaintiffs:	Gwilliam Ivary, et al.
5		By MR. GARY J. GWILLIAM
		Attorney at Law
6		1999 Harrison Street
		Suite 1600
7		Oakland, California 94612
,		(510) 832-5411
8		ggwilliam@giccb.com
9		ggwiiiiamegiccb.com
10	For Defendants:	McNamara, Ney, Dodge, Beatty,
10	ror berendants.	Slattery & Ambacher
11		_
T T		By MR. NOAH G. BLECHMAN
1.0		Attorney at Law
12		3480 Buskirk Avenue
		Suite 250
13		Pleasant Hill, California 94523 (925) 939-5330
14		noah.blechman@mcnamaralaw.com
15		noan. Dicenmanementamararaw. com
16	The Videographer:	Jeff Nichols
17	Also Present:	Brittany Smith
18		
19		
20		
21		
22		
23		
24		
25		
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6			
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8			
9		EXHIBITS	
10			
11	EXHIBIT	DESCRIPTION	PAGE
12	Exhibit 36 -	Interview with Officer Rudy	11
13		Granados, twenty-five pages	
14	Exhibit 37 -	Pleasanton Police Department Use	56
15		of force policy, twenty-five pages	
16		[Previously marked as Exhibit 12	
17		in the deposition of Bradlee	
18		Middleton, September 2, 2020]	
19			
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1	Pleasanton, California	
2	Monday, January 25, 2021; 1:02 p.m.	
3	4833 Bernal Avenue	
4		
5	THE VIDEOGRAPHER: Good afternoon.	13:02:15
6	We are going on the record at 1:02 p.m. on	13:02:15
7	January 25th, 2021.	13:02:19
8	This is media unit one of the video-recorded	13:02:21
9	deposition of Rodolfo Granados, Jr., taken by counsel	13:02:25
10	for plaintiffs in the matter of John Bauer, et al.,	13:02:30
11	versus City of Pleasanton, et al., filed in the	13:02:36
12	United States District Court, Northern District of	13:02:37
13	California, San Francisco Division. The case number	13:02:41
14	is 3:19-cv-04593-LB.	13:02:42
15	This deposition is being held virtually via	13:02:43
16	Zoom.	13:02:52
17	My name is Jeff Nichols, from the firm	13:02:53
18	Veritext Legal Solutions, and I'm the videographer.	13:02:56
19	The court reporter is Suzanne Hull, from the firm	13:02:58
20	Veritext Legal Solutions.	13:03:01
21	Counsel will now please state their	13:03:01
22	appearances and affiliations for the record.	13:03:04
23	MR. GWILLIAM: I'm Gary Gwilliam,	13:03:08
24	representing the plaintiffs in this matter.	13:03:09
25	MR. BLECHMAN: Noah Blechman, on behalf of	13:03:11
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2 THE VIDEOGRAPHER: Will the court reporter 13:03:1 3 please swear in the witness. 13:03:1 4 THE REPORTER: Raise your right hand, 13:03:1 5 please. 13:03:2 6 Thank you. 13:03:2 7 13:03:2 8 RODOLFO CESAR GRANADOS, JR., 13:03:2 9 called as a witness by counsel for Plaintiffs, being 13:03:2 10 first duly sworn, testified as follows: 13:03:2 11 13:03:2 12 THE WITNESS: I do. 13:03:2 13 THE REPORTER: Thank you. 13:03:2 14 THE VIDEOGRAPHER: Thank you. 13:03:3 15 You may proceed. 13:03:3 16 EXAMINATION 13:03:3 17 EXAMINATION 13:03:3 18 BY MR. GWILLIAM: 13:03:3 19 Q. Mr. Gwilliam, will you state your full name 13:03:3 20 and address for the record, please. Business address 13:03:3 21 is fine. 13:03:4 22 A. Yes, sir. It is Rodolfo Cesar Granados, 13:03:4 23 Jr., and the address is 4833 Bernal Avenue, 13:03:4 24 Pleasanton, California 94566. 13:03:4			
13:03:14 THE REPORTER: Raise your right hand, 13:03:15	1	the defendants.	13:03:14
THE REPORTER: Raise your right hand, 13:03:1 please. 13:03:2 Thank you. 13:03:2 RODOLFO CESAR GRANADOS, JR., 13:03:2 first duly sworn, testified as follows: 13:03:2 THE WITNESS: I do. 13:03:2 THE REPORTER: Thank you. 13:03:2 THE VIDEOGRAPHER: Thank you. 13:03:3 You may proceed. 13:03:3 EXAMINATION 13:03:3 Q. Mr. Gwilliam, will you state your full name 13:03:3 and address for the record, please. Business address 13:03:4 A. Yes, sir. It is Rodolfo Cesar Granados, 13:03:4 Pleasanton, California 94566. 13:03:4	2	THE VIDEOGRAPHER: Will the court reporter	13:03:15
5 please. 13:03:2 6 Thank you. 13:03:2 7	3	please swear in the witness.	13:03:16
Thank you. 13:03:2 Thank you. 13:03:2 RODOLFO CESAR GRANADOS, JR., 13:03:2 Called as a witness by counsel for Plaintiffs, being 13:03:2 first duly sworn, testified as follows: 13:03:2 THE WITNESS: I do. 13:03:2 THE REPORTER: Thank you. 13:03:2 THE VIDEOGRAPHER: Thank you. 13:03:3 You may proceed. 13:03:3 EXAMINATION 13:03:3 BY MR. GWILLIAM: 13:03:3 Q. Mr. Gwilliam, will you state your full name 13:03:3 is fine. 13:03:4 A. Yes, sir. It is Rodolfo Cesar Granados, 13:03:4 Jr., and the address is 4833 Bernal Avenue, 13:03:4 Pleasanton, California 94566. 13:03:4	4	THE REPORTER: Raise your right hand,	13:03:18
RODOLFO CESAR GRANADOS, JR., 13:03:2 RODOLFO CESAR GRANADOS, JR., 13:03:2 called as a witness by counsel for Plaintiffs, being 13:03:2 first duly sworn, testified as follows: 13:03:2 THE WITNESS: I do. 13:03:2 THE REPORTER: Thank you. 13:03:3 THE VIDEOGRAPHER: Thank you. 13:03:3 You may proceed. 13:03:3 EXAMINATION 13:03:3 BY MR. GWILLIAM: 13:03:3 Q. Mr. Gwilliam, will you state your full name 13:03:3 is fine. 13:03:4 A. Yes, sir. It is Rodolfo Cesar Granados, 13:03:4 Jr., and the address is 4833 Bernal Avenue, 13:03:4 Pleasanton, California 94566. 13:03:4	5	please.	13:03:20
8 RODOLFO CESAR GRANADOS, JR., 13:03:2 9 called as a witness by counsel for Plaintiffs, being 13:03:2 10 first duly sworn, testified as follows: 13:03:2 11	6	Thank you.	13:03:21
9 called as a witness by counsel for Plaintiffs, being 13:03:2 10 first duly sworn, testified as follows: 13:03:2 11	7		13:03:21
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11	9	called as a witness by counsel for Plaintiffs, being	13:03:21
THE WITNESS: I do. 13:03:2 THE REPORTER: Thank you. 13:03:2 THE VIDEOGRAPHER: Thank you. 13:03:3 You may proceed. 13:03:3 EXAMINATION 13:03:3 BY MR. GWILLIAM: 13:03:3 Q. Mr. Gwilliam, will you state your full name 13:03:3 and address for the record, please. Business address 13:03:3 is fine. 13:03:4 A. Yes, sir. It is Rodolfo Cesar Granados, 13:03:4 Pleasanton, California 94566. 13:03:4	10	first duly sworn, testified as follows:	13:03:21
THE REPORTER: Thank you. 13:03:2 14 THE VIDEOGRAPHER: Thank you. 13:03:3 15 You may proceed. 13:03:3 16 13:03:3 17 EXAMINATION 13:03:3 18 BY MR. GWILLIAM: 19 Q. Mr. Gwilliam, will you state your full name 20 and address for the record, please. Business address 21 is fine. 22 A. Yes, sir. It is Rodolfo Cesar Granados, 23 Jr., and the address is 4833 Bernal Avenue, 24 Pleasanton, California 94566. 13:03:4	11		13:03:26
THE VIDEOGRAPHER: Thank you. 13:03:3 15 You may proceed. 13:03:3 16 EXAMINATION 13:03:3 18 BY MR. GWILLIAM: 13:03:3 Q. Mr. Gwilliam, will you state your full name 13:03:3 20 and address for the record, please. Business address 13:03:4 21 is fine. 22 A. Yes, sir. It is Rodolfo Cesar Granados, 13:03:4 23 Jr., and the address is 4833 Bernal Avenue, 24 Pleasanton, California 94566. 13:03:4	12	THE WITNESS: I do.	13:03:28
You may proceed. 13:03:3 16	13	THE REPORTER: Thank you.	13:03:29
13:03:3 17 EXAMINATION 13:03:3 18 BY MR. GWILLIAM: 13:03:3 19 Q. Mr. Gwilliam, will you state your full name 13:03:3 20 and address for the record, please. Business address 13:03:3 21 is fine. 13:03:4 22 A. Yes, sir. It is Rodolfo Cesar Granados, 13:03:4 23 Jr., and the address is 4833 Bernal Avenue, 13:03:4 24 Pleasanton, California 94566. 13:03:4	14	THE VIDEOGRAPHER: Thank you.	13:03:30
EXAMINATION 13:03:3 BY MR. GWILLIAM: 13:03:3 Q. Mr. Gwilliam, will you state your full name 13:03:3 and address for the record, please. Business address 13:03:3 is fine. 13:03:4 A. Yes, sir. It is Rodolfo Cesar Granados, 13:03:4 27 Jr., and the address is 4833 Bernal Avenue, 13:03:4 Pleasanton, California 94566. 13:03:4	15	You may proceed.	13:03:31
BY MR. GWILLIAM: Q. Mr. Gwilliam, will you state your full name 13:03:3 20 and address for the record, please. Business address 13:03:3 21 is fine. 22 A. Yes, sir. It is Rodolfo Cesar Granados, 23 Jr., and the address is 4833 Bernal Avenue, 24 Pleasanton, California 94566. 13:03:4	16		13:03:31
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A. Yes, sir. It is Rodolfo Cesar Granados, 13:03:4 23 Jr., and the address is 4833 Bernal Avenue, 13:03:4 24 Pleasanton, California 94566. 13:03:4	20	and address for the record, please. Business address	13:03:36
Jr., and the address is 4833 Bernal Avenue, 13:03:4 Pleasanton, California 94566. 13:03:4	21	is fine.	13:03:40
24 Pleasanton, California 94566. 13:03:4	22	A. Yes, sir. It is Rodolfo Cesar Granados,	13:03:40
	23	Jr., and the address is 4833 Bernal Avenue,	13:03:46
25 O Mr Granadog have you ever had your 12:02:5	24	Pleasanton, California 94566.	13:03:47
2. Fit. Granados, nave you ever nad your 13.03.5	25	Q. Mr. Granados, have you ever had your	13:03:51
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1	BY MR. GWILLIAM:	13:36:57
2	Q. When you say there were multiple	13:36:58
3	supervisors, what is your understanding of the role	13:37:00
4	of a supervisor in the same sense as the one that was	13:37:03
5	involved with Jacob Bauer?	13:37:10
6	A. My understanding, a supervisor has several	13:37:11
7	responsibilities. One, observation of the scene as	13:37:14
8	it unfolds. (It is a dynamic event.) (Making sure that	13:37:18
9	everyone involved, including parties around us, the	13:37:22
10	officers and the subject we're contacting or subjects	13:37:25
11	we are contacting are safe; that the manner in which	13:37:28
12	the techniques that are being applied to restrain or	13:37:31
13	detain someone are appropriate; evaluate any other	13:37:35
14	additional needs, such as if someone did sustain an	13:37:41
15	injury, getting someone on scene to take care of	13:37:44
16	that, meaning medical staff; and then conducting	13:37:47
17	a continual evaluation of the event and make sure	13:37:51
18	that everything that is being done is appropriate.	13:37:54
19	Q. Thank you.	13:37:56
20	And and you indicate that you thought	13:37:57
21	there were multiple supervisors who would each have	13:37:58
22	that the roles that you have nicely articulated	13:38:01
23	there; right?	13:38:06
24	A. Yes.	13:38:07
25	Q. Do you know who they were?	13:38:07
		Page 35

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1
     STATE OF CALIFORNIA )
                          ) ss.
 2.
     COUNTY OF KERN
 3
 4
              I, B. Suzanne Hull, a Certified Shorthand
 5
     Reporter in the State of California, holding
 6
     Certificate Number 13495, do hereby certify that
 7
     RODOLFO CESAR GRANADOS, JR., the witness named in the
8
9
     foregoing deposition, was by me duly sworn; that said
10
     deposition, was taken Monday, January 25, 2021,
11
     at the time and place set forth on the first page
12
     hereof.
13
              That upon the taking of the deposition, the
14
     words of the witness were written down by me in
15
     stenotypy and thereafter transcribed by computer
16
     under my supervision; that the foregoing is a true
17
     and correct transcript of the testimony given by the
18
     witness.
19
              Pursuant to Federal Rule 30(e), transcript
20
     review was requested.
2.1
              I further certify that I am neither counsel
22
     for nor in any way related to any party to said
23
     action, nor in any way interested in the result or
24
     outcome thereof.
25
     ///
                                                    Page 68
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1	Dated this 28th day of January, 2021, at
2	Bakersfield, California.
3	Dagunesfill
4	B. Suzanne Hull, CSR No. 13495
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