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**FILED**  
**YOLO SUPERIOR COURT**  
**JUL 21 2008**  
 BY S. JENSEN  
 DEPUTY

8 Attorneys for Defendants,  
 9 CITY OF WOODLAND POLICE DEPARTMENT,  
 10 CITY OF WOODLAND, POLICE OFFICER MICHELE GIGANTE,  
 11 and POLICE OFFICER D. BEAL

9 **SUPERIOR COURT OF CALIFORNIA**  
 10 **COUNTY OF YOLO**

12 KARI R. DIXON, ) Case No.: CV 03536  
 13 )  
 14 Plaintiff, ) **ORDER CONFIRMING SETTLEMENT**  
 15 )  
 16 vs. )  
 17 )  
 18 CITY OF WOODLAND POLICE )  
 19 DEPARTMENT; THE CITY OF )  
 20 WOODLAND, and the individuals, POLICE )  
 OFFICER MICHELE GIGANTE, POLICE )  
 OFFICER D. BEAL (#864) and DOES 1-10, )  
 Defendants. )

21 On May 15, 2006, a settlement conference was conducted before the Honorable Donna  
 22 Petre in Department 4 of the Superior Court of Yolo County. Plaintiff Kari Dixon was present  
 23 with her attorney, Christine L. Garcia of The Animal Law Office located in San Francisco,  
 24 California. The City of Woodland and Officer Gigante were represented by Bruce Kilday of  
 25 Angelo, Kilday & Kilduff and Bob Martin of YCPARMIA.

26 After discussion with the parties and counsel, a settlement agreement was reached. The  
 27 Court inquired specifically of Ms. Dixon, both counsel and Mr. Martin, and confirmed that the  
 28 settlement was the desire of the parties and was entered into voluntarily. The Court announced

1 that the settlement was the result of a judicially supervised settlement process and the parties  
2 stipulated the settlement was enforceable under C.C.P. § 664.6.

3 The terms of the settlement are:

4 1. There is no payment of damages to the plaintiff. Four Hundred Dollars (\$400.00) that  
5 plaintiff had previously paid in sanctions will be reimbursed to her. Additionally, Two Hundred  
6 Fifty Dollars (\$250.00) in sanctions that are unpaid will be waived.

7 2. Officer Michelle Gigante will prepare a letter to the plaintiff expressing her regret at  
8 the loss of Ms. Dixon's dog. Further, Officer Gigante has agreed to discuss this incident in  
9 mentoring sessions with younger officers.

10 3. Bruce Kilday, as attorney for the defendants, has agreed to incorporate reference to a  
11 case dealing with the shooting of an animal in a class that he teaches for POST on Officer  
12 Involved Shootings. The topic will be included in the next revision of the Syllabus of Cases and  
13 the outline for the course and until such time, this information will be relayed verbally. The  
14 topic will appear substantially as follows:

15 **Fuller v. Vines**, 36 F.3d 65, 67-68 (C.A. 9 (Cal.) 1994). A Fourth Amendment  
16 seizure can also include interference with an individual's possessory interest in  
17 property, such as shooting an animal or pet. The killing of a dog can be a seizure  
under the Fourth Amendment.

18 In context, this information will be taught to the officers to educate them about the  
19 consequences of the use of force and to help the officers understand the ramifications of  
20 any seizure.

21 4. Bruce Kilday will inform the Attorney who teaches the POST class in  
22 Southern California of this revision to the syllabus and forward the attorney this  
23 information.  
24

25 5. Mr. Kilday has spoken to the administrative lieutenant of the Woodland Police  
26 Department about the issues connected to the possible shooting of animals.

27 ////

28 ////

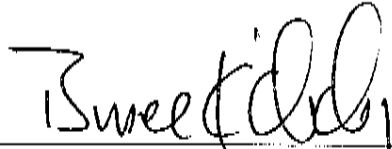
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Approved as to form:

ANGELO KILDAY & KILDUFF

Dated: July 21, 2008

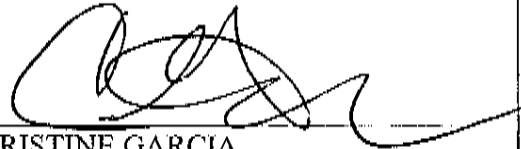
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BRUCE A. KILDAY  
Attorney for Defendants

THE-ANIMAL LAW OFFICE

Dated: July 21, 2008

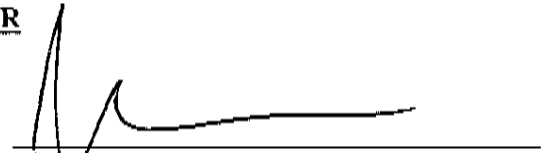
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\_\_\_\_\_  
CHRISTINE GARCIA  
Attorney for Plaintiff

**ORDER**

IT IS SO ORDERED.

Dated: 7-21-08

  
\_\_\_\_\_  
HONORABLE JUDGE OF THE  
SUPERIOR COURT  
J. KENT O'MARA