Garcia,	Jr. et al v. Stanislaus et al	
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12		
13	UNITED STATES DISTRICT COURT	
14	FOR THE EASTERN DISTRICT OF CALIFORNIA	
15	RAMIRO GARCIA, JR, individually, and as Personal Representative of the Estate of Ramiro	Case No. 1-07-cv-01376 LJO SMS
16	Garcia; R.G., a minor, by and through her	STIPULATION CONTINUNING
17	Guardian Ad Litem, Corina Torrez; RUBEN GARCIA; and ALICIA GARCIA,	ATTORNEYS' FEES MOTION AND HEARING
18	GARCIA, and ALICIA GARCIA,	
10	Plaintiffs,	
19		Trial date: September 14, 2009
20	VS.	Department 4
21	S. WATSON, et al.	
	Defendants.	Honorable Lawrence J. O'Neill
22		Honorable Lawrence J. O Wenn
23		
24		
25		
26		
27		
28	STIPULATION AND (PROPOSED) ORDER CONTINUING FILING DATE AND HEARING ON ATTTORNEYS' FEES MOTION CASE NO. 2-07-cv-01376 LJO SMS	1
		Do
	1	

## **STIPULATION**

The parties to the above-entitled action hereby stipulate that the time for Plaintiffs' to file their motion for attorneys' fees and hearing on attorneys' fees be continued from the previous date set by the Court of December 4, 2009 for hearing, and attorneys' fees motion to be filed by October 23, 2009. Plaintiffs' motion for attorneys' fees shall be filed no sooner than 60 days after post-trial motions are decided by the Court, for hearing scheduled no later than six weeks after the filing of Plaintiffs' motion for attorneys' fees.

Good cause for the proposed modification of the Court's post-trial motions schedule is based on the continuing accrual of attorneys' fees incurred in the course of litigating and arguing post-trial motions, as may be dependent on the outcome of any post-trial motions, avoiding duplication of efforts in filing multiple attorney fee applications, and any appeals that may arise from the disposition of post trial motions.

Respectfully submitted,

Dated: October 2, 2009

Dated: October \_\_, 2009

/s/ Benjamin Nisenbaum Attorney for Plaintiffs

<u>/s/</u> Dan Farrar Attorney for Defendants

## ORDER

Pursuant to the Parties' Stipulation, good cause shown, the Court hereby orders that the time for Plaintiffs to file a motion for attorneys' fees, and any hearing on the attorneys' fees motion is hereby continued. Any motion for attorneys' fees filed by Plaintiffs shall be filed no later than 60 days after post trial motions are decided by this Court, with a hearing scheduled no later than six weeks from the date Plaintiffs' attorneys' fees motion is filed.

Dated:\_October 8, 2009

28 STIPULATION AND (PROPOSED) ORDER CONTINUING FILING DATE AND HEARING ON ATTTORNEYS' FEES MOTION CASE NO. 2-07-cv-01376 LJO SMS \_/s/ Lawrence J. O'Neill\_\_\_ Honorable Lawrence J. O'Neill UNITED STATES DISTRICT JUDGE