

1 Thornton Davidson #166487
 2 DAVIDSON & HAWKINS
 3 Attorneys at Law
 4 2055 San Joaquin Street
 5 Fresno, California 93721
 6 Telephone: (559) 256-9800
 7 Facsimile: (559) 256-9791

8 Attorney for Plaintiff, ROBERT CARSON

9 Rosemary McGuire, # 172549
 10 Weakley Arendt & McGuire LLP
 11 1630 E Shaw Ave #176
 12 Fresno, CA 93710
 13 Telephone: (559) 221-5256
 14 Facsimile: (559) 221-5262

15 Attorney for Defendants, CITY OF FRESNO, DAVE UNRUH, and JOHN OVERSTREET

16 UNITED STATES DISTRICT COURT
 17 EASTERN DISTRICT OF CALIFORNIA
 18 FRESNO DIVISION

19 * * * * *

20 ROBERT CARSON

21 CASE No.: 1:08-cv-468

22 Plaintiffs,

23 **AMENDED STIPULATION AND
 24 ORDER TO FILE MOTION
 25 ON SHORTENED TIME**

26 vs.

27 THE CITY OF FRESNO, officer
 28 DAVE UNRUH, an individual,
 officer JOHN OVERSTREET, an
 individual, and DOES 1-40,
 inclusive.

Defendants.

_____ /

//

//

1 The parties, through their counsels of record, hereby stipulate to the entry of an order allowing
2 Plaintiff to file his MOTION TO MODIFY SCHEDULING ORDER OR, ALTERNATIVELY,
3 FOR TERMINATING SANCTIONS on shortened time.

4 Good cause exists on the grounds that trial is set for June 15, 2010, with a pre-trial
5 conference set for May 6, 2010, and both parties agree that the motion should be filed prior to the
6 Pre-Trial Conference.

7 The parties respectfully request that the Court set the following briefing and hearing
8 schedule:

9 a. The motion is to be heard on May 14, 2010, in Courtroom 9, at 9:00 a.m.,
10 before the Honorable Judge Beck.

11 b. A copy of the order and the moving papers are to be filed and served by
12 ECF on all parties or counsel, on or before April 26, 2010.

13 c. Any opposition to the motion is to be filed and served by ECF on all
14 counsel or parties, on or before May 7, 2010.

15 d. Reply papers, if any, are to be filed and served by ECF on all counsel or
16 parties, on or before May 10, 2010.

17 Dated on April 22, 2010 in Fresno, California.

18 THORNTON DAVIDSON & ASSOCIATES

19
20 By: /S/ Thornton Davidson
THORNTON DAVIDSON
21 Attorneys for Plaintiff,
ROBE RT CARSON

22
23 Dated on April 22, 2010, in Fresno, California.

24 Fresno City Attorneys Office

25
26 By: /S/ Rosemary McGuire
ROSEMARY MCGUIRE
27 Attorney for Defendants,
THE CITY OF FRESNO, DAVE UNRUH, and
28 JOHN OVERSTREET

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Good cause having been shown, the Court enters the follow order:

- a. Plaintiff's motion is to be heard on May 14, 2010, in Courtroom 9, at 9:00 a.m., before the Honorable Judge Beck.
- b. A copy of the order and the moving papers are to be filed and served by ECF on all parties or counsel, on or before April 26, 2010.
- c. Any opposition to the motion is to be filed and served by ECF on all counsel or parties, on or before May 7, 2010.
- d. Reply papers, if any, are to be filed and served by ECF on all counsel or parties, on or before May 10, 2010.

IT IS SO ORDERED.

Dated: 23 April 2010

/s/ Dennis L. Beck
HON. JUDGE DENNIS L. BECK