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9 Attorneys for Defendants CITY OF FRESNO, JERRY DYER, ROBERT NEVARES,
10 JOHN ROMO, GREG GARNER and ANTHONY MARTINEZ

11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

11	JAMES LEWIS,)	Case No. 1:08-CV-01062-OWW-GAS
12	Plaintiff,)	
13	v.)	
14	CITY OF FRESNO; JERRY DYER;)	STIPULATION TO CONTINUE
15	ROBERT NEVAREZ; JOHN ROMO;)	HEARING DATE; AND ORDER
16	GREG GARNER; ANTHONY MARTINEZ,)	THEREON
17	and DOES 1 through 10, inclusive,)	
	Defendants.)	

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19 IT IS HEREBY STIPULATED AND AGREED, by and between the parties,
20 through their respective counsel of record, as follows:

- 21 1. On April 10, 2009, this firm substituted in as counsel in the captioned
22 matter.
- 23 2. Defense counsel is set to begin a three to five week trial on April 27, 2009
24 in Fresno County Superior Court, Case No. 02 CE CG 02240.
- 25 3. Defendants' Motion to Dismiss Complaint; For More Definite
26 Statement; and to Strike portions of the Complaint is scheduled to be heard on April 27,
27 2009.
- 28 4. Plaintiff's counsel does not oppose a continuance of the hearing, but

1 would like the scheduling conference to proceed on the date currently scheduled.

2 5. It is respectfully requested that Defendants' Motion to Dismiss
3 scheduled in the captioned matter before this Court on April 27, 2009 be continued to a
4 date in June which is convenient to the Court's calendar.

5 Respectfully requested,

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7 Dated: April 22, 2009

BETTS & WRIGHT

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By /s/ Joseph D. Rubin
Joseph D. Rubin

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Attorneys for Defendants CITY OF FRESNO,
11 JERRY DYER, ROBERT NEVARES, JOHN
ROMO, GREG GARNER and ANTHONY
12 MARTINEZ

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12

13 Dated: April 22, 2009

EMERSON, COREY, SORENSON, CHURCH
& YOHMAN

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By /s/ Rayma Church
Rayma Church

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Attorneys for Plaintiff JAMES LEWIS

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ORDER

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21 IT IS SO ORDERED. The hearing shall be continued to July 13, 2009 at 10:00
22 AM in department 3 before Judge Wanger.

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24 IT IS SO ORDERED.

25 Dated: April 22, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE

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