

1 DAVID M. HELBRAUN (SBN 129840)
HELBRAUN LAW FIRM
 2 351 California Street, Suite 900
 San Francisco, California 94104
 3 Telephone: (415) 982-4000
 Facsimile: (415) 352-0988

4 Attorneys for Plaintiff
 5 KHALID LANIER

6 UNITED STATES DISTRICT COURT
 7 EASTERN DISTRICT OF CALIFORNIA
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10	KHALID LANIER,)	Case No. 1:10-CV-01120-LJO-SKO
11	Plaintiff,)	STIPULATION AND ORDER
12	v.)	CONTINUING HEARING ON MOTION
)	TO DISMISS PLAINTIFF'S COMPLAINT
13	CITY OF FRESNO, a municipal entity,)	
	POLICE OFFICER ALFONSO)	
14	CASTILLO, in his individual and)	
	official capacities, POLICE OFFICER)	
15	STEPHEN TAYLOR in his individual)	
	and official capacities, COUNTY OF)	
16	FRESNO, and DOES 1-100, Jointly and)	
	Severally,)	
17	Defendants.)	
18)	

19 The parties, by and through their respective counsel, hereby stipulate and agree that the
 20 hearing on the Motion to Dismiss Plaintiff's Complaint filed on behalf of defendants CITY OF
 21 FRESNO, a Public Entity, OFFICER ALFONSO CASTILLO and OFFICER STEPHEN
 22 TAYLOR (hereinafter "Defendants") shall be held at 8:30 a.m. on October 14, 2010, and the
 23 briefing schedule shall be calculated as if that was the initial hearing date of said Motion.

24 DATED: August 30, 2010

HELBRAUN LAW FIRM

26 _____
 27 David M. Helbraun
 Attorney for Plaintiff
 KHALID LANIER
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2 DATED: August 31, 2010

WEAKLEY, ARENDT & MCGUIRE LLP

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4 Rosemary T. McGuire
Roy C. Santos
5 Attorneys for Defendants, CITY OF FRESNO,
OFFICER ALFONSO CASTILLO and OFFICER
6 STEPHEN TAYLOR

7 **ORDER**

8 This Court's practice is to consider motions on the record without a hearing. *See* Local
9 Rule 230(g). As such, and based on the parties' stipulation, this Court:

- 10 1. VACATES the September 16, 2010 hearing on defendants' motion to dismiss;
11 2. ORDERS plaintiff, no later than September 30, 2010, to file and serve papers to
12 respond to defendants' motion to dismiss;
13 3. ORDERS defendants, no later than October 7, 2010, to file and serve reply papers;
14 and
15 4. RESETS the scheduling conference to December 2, 2010 at 9:45 a.m. in
16 Department 8 before U.S. Magistrate Judge Sheila Oberto.

17 This Court will rule on defendants' motion to dismiss without a hearing, unless this Court orders
18 otherwise or plaintiff files an amended complaint as a matter of right.

19 IT IS SO ORDERED.

20 Dated: September 1, 2010

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE