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 6 HEATHER and MARK EWING

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 8 **UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**

10 HEATHER and MARK EWING,) Case No. 2:05-CV-02270-WBS-GGH
 11)
 Plaintiffs,) **STIPULATION OF COUNSEL**
 12) **AND [PROPOSED] ORDER**
 v.) **CONTINUING STATUS**
 13) **CONFERENCE**
 THE STATE OF CALIFORNIA, et al.)
 14)
 Defendants.)
 15)

16 WHEREAS, a Status Conference is presently scheduled in the above-captioned case for
 17 March 22, 2010, and the parties' Joint Status Report is due March 15, 2010;

18 WHEREAS, counsel for plaintiffs is unavailable on March 22, 2010 due to being called to
 19 appear for jury duty; and

20 WHEREAS, the Court has advised that the next available date for the Status Conference is
 21 May 3, 2010, at 2:00 p.m.

22 NOW, THEREFORE, IT IS HEREBY STIPULATED by the parties to the above-referenced
 23 action, by and through their respective counsel of record, that the Status Conference be continued from
 24 March 22, 2010 at 1:30 p.m. to May 3, 2010 at 2:00 p.m., and that the parties' Joint Status Report be
 25 filed on April 26, 2010.

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 28 //

1 SO STIPULATED.

2 Dated: March 3, 2010

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7 By: /s/ Monique Alonso
8 Monique Alonso

9 Attorneys for Plaintiffs
10 HEATHER EWING, et al.

11 Dated: March 3, 2010

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15 By: /s/ Shelley L. Green
16 Shelley L. Green

17 Attorneys for CITY DEFENDANTS

18 As authorized on March 3, 2010.

19 Dated: March 3, 2010

20 Jason R. Morrish (192686)
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23 By: /s/ Jason R. Morrish
24 Jason R. Morrish

25 Attorneys for DA DEFENDANTS

26 As authorized on March 2, 2010.

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ORDER

The Status Conference in the above-referenced matter, currently set for March 22, 2010, is hereby continued to May 3, 2010 at 2:00 p.m.

IT IS SO ORDERED.

Dated: March 4, 2010



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF SERVICE

RE: *Heather Marie Ewing and Mark Lee Ewing v. The State of California, et al.*
Case No. 2:-05-CV-02270-WBS-GGH

I am a citizen of the United States and employed in the County of San Francisco, State of California. I am over eighteen (18) years of age and not a party to the above-entitled action. My business address is GROSS, BELSKY & ALONSO LLP, 180 Montgomery Street, Suite 2200, San Francisco, CA, 94104. On the date set forth below, I served the following documents in the manner indicated on the below named parties and/or counsel of record:

• **STIPULATION OF COUNSEL AND [PROPOSED] ORDER CONTINUING STATUS CONFERENCE**

— **Facsimile** transmission from (415) 544-0201 during normal business hours, complete and without error on the date indicated below, as evidenced by the report issued by the transmitting facsimile machine.

— **U.S. Mail**, with First Class postage prepaid and deposited in a sealed envelope at San Francisco, California.

XX **By ECF:** by USDC Live System-Document Filing System on all interested parties registered for e-filing.

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Defendants County of San Joaquin, District
Attorney John D. Phillips, Deputy District
Attorney Lester F. Fleming, and Investigator
Bertocchini

I am readily familiar with the firm’s practice for the collection and processing of correspondence for mailing with the United States Postal Service, and said correspondence would be deposited with the United States Postal Service at San Francisco, California that same day in the ordinary course of business.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 3, 2010 at San Francisco, California.

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/s/ Jessica Dean
JESSICA DEAN