

1 JOHN L. BURRIS, Esq., (SBN 69888)
 2 DEWITT M. LACY, Esq., (SBN 258789)
THE LAW OFFICES OF JOHN L. BURRIS
 Airport Corporate Centre
 3 7677 Oakport Street, Suite 1120
 Oakland, California 94621
 4 Telephone: (510) 839-5200
 5 Facsimile: (510) 839-3882
 john.burris@johnburrislaw.com
 6 dewitt.lacy@johnburrislaw.com

7 GAYLA B. LIBET, Esq. (SBN 109173)
LAW OFFICE OF GAYLA B. LIBET
 8 486 41st Street, # 3
 Oakland, CA 94609
 9 Telephone and Facsimile: (510) 420-0324

10 Attorneys for Plaintiffs

11 JAMES V. FITZGERALD, III (State Bar No. 55632)
 NOAH G. BLECHMAN (State Bar No. 197167)
 12 **MCNAMARA, NEY, BEATTY, SLATTERY,**
BORGES & AMBACHER LLP
 13 1211 Newell Avenue
 Walnut Creek, CA 94596
 14 Telephone: (925) 939-5330
 15 Facsimile: (925) 939-0203

Attorneys for Defendant
 16 JASON POTTS, JEREMY PATZER and ERIC JENSEN

17 **UNITED STATES DISTRICT COURT**
 18 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
 19

20 JASON EUGENE DEOCAMPO; JESUS
 21 SEBASTIAN GRANT; and JAQUEZS TYREE
 BERRY,

22 Plaintiffs,

23 vs.

24 JASON POTTS, individually, and in his capacity
 25 as a Vallejo police officer; JEREMY PATZER,
 26 individually, and in his capacity as a Vallejo
 police officer; ERIC JENSEN, individually, and
 in his capacity as a Vallejo police officer

27 Defendants.

Case No.: 2:06-CV-01283-WBS-CMK

**STIPULATION CONTINUING
 ATTORNEYS' FEES MOTION AND
 HEARING**

Trial date: August 26, 2013

Department 5

Honorable William B. Schubb

28 STIPULATION AND (PROPOSED) ORDER
 CONTINUING FILING DATE AND HEARING ON
 ATTORNEYS' FEES MOTION
 CASE NO. 2:06-CV-01283-WBS-CMK

1 **STIPULATION**

2 The parties to the above-entitled action hereby stipulate to the following:

3 WHEREAS the parties have agreed to enlarge the time for the parties' to file their respective
4 motions for attorneys' fees from September 6, 2013, until November 6, 2013.

5 WHEREAS the parties have agreed to enlarge the time to file an opposition and/or reply brief
6 to any motion for attorneys' fees. Oppositions to any motion for attorneys' fees shall be filed no later
7 than December 6, 2013. Reply brief's for any motion for attorneys' fees will be filed no later than
8 December 20, 2013.

9 WHEREAS the parties have agreed to continue the hearing for any motion for attorneys' fees
10 until January 27, 2014, or another date soon thereafter that is convenient for the Court and the parties.

11 WHEREAS the Plaintiffs have agreed to suspend execution of any judgment in this matter
12 until after any hearing for a motion to award attorneys' fees and any determination as to whether any
13 judgment will be subject to a reduction due to the City of Vallejo's bankruptcy status.

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

19 **IT IS SO STIPULATED.**

20 Respectfully submitted,

21
22 Dated: September 6, 2013

22 /s/ DeWitt M. Lacy
23 DeWitt M. Lacy
24 Attorney for Plaintiffs

25 Dated: September 6, 2013


25 /s/ Noah Blechman
26 Noah Blechman
27 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 and heard consistent with the briefing schedule noted in the stipulation of the parties. The hearing on any such motion is set for February 10, 2014, 2014, at 2:00 p.m. with Judge Shubb.

IT IS SO ORDERED

Dated: September 11, 2013



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE