

**P O R T E R | S C O T T**  
A PROFESSIONAL CORPORATION  
Terence J. Cassidy, SBN 99180  
Michael W. Pott, SBN 186156  
Patricia L. Spiegel, SBN 256244  
350 University Ave., Suite 200  
Sacramento, California 95825  
TEL: 916.929.1481  
FAX: 916.927.3706

Attorneys for Defendants COUNTY OF SACRAMENTO, SHERIFF JOHN  
MCGINNESS, ANDERSON, MCELHENY and BENNETT

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

ANTHONY LEHR, et al.,  
  
Plaintiffs,  
  
vs.  
  
CITY OF SACRAMENTO, et al.,  
  
Defendants.

Case No. 07-1565 MCE GGH

**STIPULATION AND REQUEST  
TO CONTINUE HEARING FOR  
DISPOSITIVE MOTIONS;  
ORDER**

**COMPLAINT FILED:** Aug. 2, 2007  
**TRIAL DATE:** Jan. 11, 2010

IT IS HEREBY STIPULATED and AGREED, by and between the parties hereto, that  
the last day for all dispositive motions to be heard (except for continuances, TROs, or other  
emergency applications) be continued from June 10, 2009, to June 11, 2009.

Good cause exists to continue the last day for hearing dispositive motions by one day,  
because based on the Court's available hearing dates, the last day the Court would be able  
to hear a dispositive motion is May 21, 2009. This would require the COUNTY Defendants  
to file a motion for summary judgment no later than April 20, 2009. The COUNTY  
Defendants and Plaintiffs have been discussing possible settlement of the case, but the  
County's Board of Supervisors cannot consider the proposed settlement until April 21, 2009,  
which is one day after the County Defendants would have to file their motion for summary

1 judgment. To avoid the expense of preparing a motion for summary judgment prior to the  
2 Board's consideration of the settlement proposal and the use of Court resources to review  
3 such papers, the parties agree to continue the last day to hear dispositive motions by one day -  
4 to June 11, 2009 - which will change the due date for the dispositive motions to May 11,  
5 2009 – three weeks after the County Defendant is able to consider the settlement proposal.

6 **IT IS SO STIPULATED.**

7 Respectfully submitted,

8 DATED : April 13, 2009

LAW OFFICES OF MARK E. MERIN

9  
10 By /s/ Mark E. Merin  
Mark E. Merin  
11 Attorney for Plaintiffs,  
ANTHONY LEHR, et al.

12 DATED: April 13, 2009

EILEEN M. TEICHERT  
13 City Attorney

14  
15 By /s/ Chance L. Trimm  
Chance L. Trimm  
16 Senior Deputy City Attorney  
Attorney for Defendants,  
17 CITY OF SACRAMENTO, POLICE  
CHIEF ALBERT NAJERA, MICHAEL  
18 COOPER, and MARK ZOULAS

19  
20 DATED: April 13, 2009

PORTER SCOTT  
A PROFESSIONAL CORPORATION

21  
22 By /s/ Patricia L. Spiegel  
Terence J. Cassidy  
23 Michael W. Pott  
Patricia L. Spiegel  
24 Attorneys for Defendants,  
COUNTY OF SACRAMENTO, SHERIFF  
25 JOHN MCGINNESS, ANDERSON,  
MCELHENY AND BENNETT  
26  
27  
28

1 **Case Name: Lehr, et al. v. City of Sacramento, et al.**  
2 **Case No.: USDC EDCA No.: 07-1565 MCE GGH**

---

3  
4 Good cause appearing, the Court grants the stipulation to continue the last day to hear  
5 dispositive motions from June 10, 2009 to June 11, 2009.

6 **IT IS SO ORDERED.**

7  
8 Dated: April 14, 2009



---

MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE

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