

1 **P O R T E R | S C O T T**

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

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ANTHONY LEHR, et al.,

Case No. 07-1565 MCE GGH

Plaintiffs,

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

vs.

CITY OF SACRAMENTO, et al.,

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

Defendants.

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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  
11 Mark E. Merin  
12 Attorney for Plaintiffs,  
13 ANTHONY LEHR, et al.

14 DATED: April 13, 2009

15 EILEEN M. TEICHERT  
16 City Attorney

17  
18 By /s/ Chance L. Trimm  
19 Chance L. Trimm  
20 Senior Deputy City Attorney  
21 Attorney for Defendants,  
22 CITY OF SACRAMENTO, POLICE  
23 CHIEF ALBERT NAJERA, MICHAEL  
24 COOPER, and MARK ZOULAS

25 DATED: April 13, 2009

26 PORTER SCOTT  
27 A PROFESSIONAL CORPORATION

28  
29 By /s/ Patricia L. Spiegel  
30 Terence J. Cassidy  
31 Michael W. Pott  
32 Patricia L. Spiegel  
33 Attorneys for Defendants,  
34 COUNTY OF SACRAMENTO, SHERIFF  
35 JOHN MCGINNESS, ANDERSON,  
36 MCELHENY AND BENNETT

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

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3 Good cause appearing, the Court grants the stipulation to continue the last day to hear  
4 dispositive motions from June 10, 2009 to June 11, 2009.  
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6 **IT IS SO ORDERED.**

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8 Dated: April 14, 2009



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10 MORRISON C. ENGLAND, JR.  
11 UNITED STATES DISTRICT JUDGE  
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