

Selman Breitman
LLP
ATTORNEYS AT LAW

1 GREGG A. THORNTON (SBN 146282)
JENNIFER L. RUSNAK (SBN 247054)
2 SELMAN BREITMAN LLP
33 New Montgomery, Sixth Floor
3 San Francisco, CA 94105
Telephone: (415) 979-0400
4 Facsimile: (415) 979-2099

5 Attorneys for Defendants
CITY OF BENICIA, Police Chief
6 SANDRA SPAGNOLI, City Manager
JIM ERICKSON, Sergeant FRANK
7 HARTIG, Sergeant BOB OETTINGER,
Sergeant CHRIS BIDOU, Sergeant
8 SCOTT PRZEKURAT, Officer JOHN
McFADDEN, Officer MARK MENESINI,
9 Officer JAMES LAUGHTER, Officer
KEVIN ROSE, Officer JASON EAKIN,
10 Officer TED CRIADO and Officer
JAKE HEINEMEYER

11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13 PETER KNOWLES,
14 Plaintiff,
15 v.

CASE NO. 2:09-CV-03470-WBS-DAD
**STIPULATION TO CONTINUE HEARING
ON PLAINTIFF'S MOTION FOR SUMMARY
ADJUDICATION; AND ORDER THEREON**

16 CITY OF BENICIA, Police Chief
17 SANDRA SPAGNOLI, City Manager
JIM ERICKSON, Sergeant FRANK
18 HARTIG, Sergeant BOB OETTINGER,
Sergeant CHRIS BIDOU, Sergeant
19 SCOTT PRZEKURAT, Officer JOHN
McFADDEN, Officer MARK MENESINI,
20 Officer JAMES LAUGHTER, Officer
KEVIN ROSE, Officer JASON EAKIN,
21 Officer TED CRIADO, Officer JAKE
HEINEMEYER and DOES I through
22 XXX, inclusive,
23 Defendants.

24
25 **IT IS HEREBY STIPULATED** by and between plaintiff Peter
26 Knowles, through his counsel of record, and defendants City of
27 Benicia, Police Chief Sandra Spagnoli, City Manager Jim Erickson,
28

1 Sergeant Frank Hartig, Sergeant Bob Oettinger, Sergeant Chris
2 Bidou, Sergeant Scott Przekurat, Officer John McFadden, Officer
3 Mark Menesini, Officer James Laughter, Officer Kevin Rose,
4 Officer Jason Eakin, Officer Ted Criado, and Officer Jake
5 Heinemeyer, through their counsel of record, as follows:

6 Plaintiff Peter Knowles has filed a Motion for Summary
7 Adjudication, which is currently set to be heard on February 14,
8 2011 at 2:00 p.m. in Courtroom 5 of the above-entitled court,
9 located at 501 I Street, Sacramento, California 95814. The
10 deposition of plaintiff is currently scheduled to be taken on
11 January 14, 2011. Due to the short time period between the date
12 of the plaintiff's scheduled deposition, and the deadline to file
13 the opposition and reply papers, the parties have agreed that the
14 hearing date for the Motion for Summary Adjudication be continued
15 in this matter for a period of fourteen (14) days. In addition,
16 the parties have agreed that the deadlines for the filing and
17 service of any opposition and reply papers accordingly be
18 continued based upon the new hearing date.

19 Therefore, the parties stipulate and agree to a continuance
20 of the hearing of the Motion for Summary Adjudication to **February**
21 **28, 2011**, or as soon thereafter as the court is available.

22 It is so stipulated:

23
24 DATED: January 17, 2011 ROSEN, BIEN & GALVAN, LLP

25
26 By: /s/ Leslie C. Mehta (as
authorized on January 14, 2011)

27 Leslie C. Mehta
28 Attorneys for Plaintiff, PETER
KNOWLES

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

Selman Breitman
LLP

ATTORNEYS
AT
LAW

DATED: January 17, 2011 SELMAN BREITMAN LLP

By: /s/ Jennifer L. Rusnak
JENNIFER L. RUSNAK
Attorneys for Defendants
CITY OF BENICIA, Police Chief
SANDRA SPAGNOLI, City Manager JIM
ERICKSON, Sergeant FRANK HARTIG,
Sergeant BOB OETTINGER, Sergeant
CHRIS BIDO, Sergeant SCOTT
PRZEKURAT, Officer JOHN MCFADDEN,
Officer MARK MENESINI, Officer
JAMES LAUGHTER, Officer KEVIN ROSE,
Officer JASON EAKIN, Officer TED
CRIADO and Officer JAKE HEINEMEYER

ORDER

IT IS SO ORDERED.

Dated: January 18, 2011



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE