

1 DALE L. ALLEN, JR., State Bar No. 145279
dallen@aghwlaw.com
2 KEVIN P. ALLEN, State Bar No. 252290
kallen@aghwlaw.com
3 ALLEN, GLAESSNER, HAZELWOOD & WERTH, LLP
180 Montgomery Street, Suite 1200
4 San Francisco, CA 94104
Telephone: (415) 697-2000
5 Facsimile: (415) 813-2045

6 Attorneys for Defendants
CITY OF MANTECA, ARMANDO GARCIA, IAN
7 OSBORN, PAUL CARMONA and CHRIS S. MRAZ

8
9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA
11 SACRAMENTO DIVISION

12 JOANNE BLIGHT,

13 Plaintiff,

14 v.

15 CITY OF MANTECA, a Municipal
Corporation, Manteca Police Department
16 Detectives ARMANDO GARCIA,
Individually, RANCH JOHNSON,
17 Individually, KIRK DOTY, Individually,
MIKE KEENER, Individually, IAN
18 OSBORN, Individually, and ARMEN
AVAKIAN, Individually, Manteca Police
19 Department Sergeants PAUL CARMONA
and CHRIS S. MRAZ, in their Individual
20 and Supervisory capacities, and DOES 1
THROUGH 60, Jointly and Severally,

21 Defendants.
22

Case No.: 2:15-cv-02513-WBS-AC

**STIPULATION RE: SUMMARY JUDGMENT
HEARING; PRETRIAL CONFERENCE; and
TRIAL; [PROPOSED] ORDER**

23 **TO THE CLERK OF THE COURT, ALL PARTIES, AND THEIR ATTORNEYS**

24 **OF RECORD:**

25 Plaintiff JOANNE BLIGHT (“Plaintiff”) and Defendants CITY OF MANTECA,
26 ARMANDO GARCIA, IAN OSBORN, CHRIS MRAZ, and PAUL CARMONA (“Defendants”)
27 hereby respectfully request continuation of the summary judgment hearing in this Case, as well as
28 the Pretrial Conference date and Trial date.

1 Summary judgment is currently scheduled for August 7, 2017. The Pretrial Conference is
2 set for August 28th, with trial on October 17, 2017. The parties have diligently litigated this case,
3 but the requested scheduling changes are required in order to permit adequate time in between the
4 hearing on the pending summary judgment motion, and the pretrial conference and trial.

5 Good cause exists for this stipulation. On July 17, 2017, Plaintiff's counsel became aware
6 of an immovable scheduling conflict with the summary judgment hearing. Counsel repeatedly
7 attempted to resolve the conflict, to no avail. The parties met-and-conferred and both sides are
8 available on the Court's next available motion hearing date (August 21, 2017).

9 Because an August 21st hearing date would only leave one week until the Pretrial
10 Conference, and 8 weeks until the trial, the parties met-and-conferred and believe it best to also
11 move the Pretrial Conference and trial dates. Moving all three dates provides the Court time to
12 consider and rule upon the moving and opposing papers that will be filed in connection with the
13 summary judgment motion, which involves an extensive volume of evidence, and gives the
14 parties adequate time between any ruling and trial, including the time needed for preparation and
15 submission of trial documents. A short trial continuance also resolves a conflict that recently
16 arose on Defendants' counsel's calendar. A matter that was supposed to settle is now certain to go
17 to trial. That matter is set for October 10, 2017 in San Joaquin County, and anticipated to go two
18 weeks.

19 Based on the foregoing circumstances, by and through their respective counsel of record,
20 the parties hereby stipulate and respectfully request the following:

- 21 1. That the hearing date for Defendants' summary judgment motion be continued
22 from August 7, 2017 to August 21, 2017;
- 23 2. That the Pretrial Conference be continued from August 28, 2017 to October 10,
24 2017;¹ and,
- 25 3. That the trial date be continued from October 17, 2017 to December 12, 2017.

26
27 _____
28 ¹ The parties selected October 10, 2017 because October 9, 2017, a Monday, is Columbus Day, a federal holiday.

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

Respectfully submitted,

Dated: July 18, 2017

LAW OFFICE OF SANJAY S. SCHMIDT

By: /s/ Sanjay S. Schmidt
SANJAY S. SCHMIDT
Attorneys for Plaintiff
JOANNE BLIGHT

Dated: July 18, 2017


ALLEN, GLAESSNER, HAZELWOOD &
WERTH, LLP

By: /s/ Kevin P. Allen
DALE L. ALLEN, JR.
KEVIN P. ALLEN
Attorneys for Defendants
CITY OF MANTECA, ARMANDO
GARCIA, IAN OSBORN, PAUL CARMONA
and CHRIS S. MRAZ

PURSUANT TO THE FOREGOING STIPULATION, IT HEREBY ORDERED:

1. That the hearing date for Defendants' summary judgment motion is continued from August 7, 2017 to **September 18, 2017 at 1:30 p.m.**;
2. That the Pretrial Conference is continued from August 28, 2017 to **November 20, 2017 at 1:30 p.m.**, and
3. That the trial date is continued from October 17, 2017 to **January 17, 2018 at 9:00 a.m.**

Dated: July 21, 2017


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE