

1 Nicholas R. Kloeppe, CSB #186165
 2 MITCHELL, BRISSE, DELANEY & VRIEZE, LLP
 Attorneys at Law
 3 814 Seventh Street
 P. O. Drawer 1008
 4 Eureka, CA 95502
 Tel: (707) 443-5643
 Fax: (707) 444-9586
 Attorneys for Defendants
 5 SOUTHERN HUMBOLDT UNIFIED SCHOOL
 DISTRICT and COLLEEN O’SULLIVAN
 6

7 Elizabeth M. Peck, Esq.
 PECK-LAW
 1010 Fair Avenue, Suite A
 8 Santa Cruz, CA 95060
 Tel (408) 332-5792
 9 Fax (408) 332-5793
 Attorney for Plaintiff
 10 ANN CONSTANTINO

11
 12 UNITED STATES DISTRICT COURT
 13 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 14 EUREKA DIVISION

15 ANN CONSTANTINO,
 16 Plaintiff,
 17 v.
 18 SOUTHERN HUMBOLDT UNIFIED
 19 SCHOOL DISTRICT, a California Public
 Entity, CATHERINE SCOTT, an
 20 individual, COLLEEN O’SULLIVAN, an
 individual, and DOES 1 through 10,
 21 inclusive,
 22 Defendants.

CASE NO.: 18-CV-02249-RMI

**STIPULATION AND ORDER TO
 RESET CASE MANAGEMENT
 CONFERENCE AND DATE FOR
 FIRST RESPONSIVE PLEADING**

23 **IT IS HEREBY STIPULATED** by and between the parties, Plaintiff ANN
 24 CONSTANTINO (“Plaintiff”) and Defendants SOUTHERN HUMBOLDT UNIFIED
 25 SCHOOL DISTRICT and COLLEEN O’SULLIVAN (“Defendants”) through their
 26 respective attorneys as follows:

**STIPULATION AND ORDER TO RESET CASE MANAGEMENT CONFERENCE AND DATE
 FOR FIRST RESPONSIVE PLEADING**

MITCHELL, BRISSE,
 DELANEY & VRIEZE
 814 Seventh Street
 P.O. Drawer 1008
 Eureka, CA 95502

1 1. The parties previously stipulated that service on all defendants would be
2 deemed complete as of the last date of service on a defendant. That service was
3 completed by way of a Waiver of Service of Summons on July 9, 2018.

4 2. The first responsive pleading by all defendants is due on or before October
5 7, 2018.

6 3. The initial Case Management Conference in this matter is scheduled for
7 September 11, 2018, before this Court.

8 4. Defendants have informed plaintiff's counsel of their intention to file a
9 Motion to Dismiss pursuant to Fed. R. Civ. P. Rule 12(b)(6). The Parties agree that the
10 initial Case Management Conference should be held after the ruling on defendants'
11 Motion to Dismiss.

12 5. Based on the foregoing, the parties respectfully request the Court vacate
13 the Case Management Conference and all dates attendant thereto. This request is made
14 for good cause as the parties believe it is in the best interest of the court and the parties'
15 respective economic and personal resources, and litigation expediency to wait until *after*
16 the parameters of the dispute of the parties are determined by the court before the initial
17 Case Management Conference is held.

18 6. The Parties further request that the initial Case Management Conference
19 be reset to November 20, 2018, at 2:00 pm in the Eureka Courthouse or any anytime
20 thereafter which is more convenient for the Court.

21 7. The parties further agree, should the court wish to, that a proposed
22 scheduling order could be issued by the court and the Case Management Conference
23 would be taken off calendar without being reset.

24 ///

25 ///

26 ///

1 IT IS SO STIPULATED AND AGREED.

2 DATED: September 4, 2018 MITCHELL, BRISSO, DELANEY & VRIEZE, LLP

3

4 By: /s/ Nicholas R. Kloeppe
5 Nicholas R. Kloeppe
6 Attorneys for Defendants
7 SOUTHERN HUMBOLDT UNIFIED
8 SCHOOL DISTRICT and COLLEEN
9 O'SULLIVAN

7 DATED: September 4, 2018 PECK-LAW

8

9 By: /s/ Elizabeth M. Peck
10 Elizabeth M. Peck
11 Attorneys for Plaintiff, ANN CONSTANTINO

11

12

13 **SIGNATURE ATTESTATION**

14 Pursuant to Civil L.R. 5-1(i)(3), I hereby attest that I have obtained the
15 concurrence in the filing of this document from all of the signatories for whom a
16 signature is indicated by a “/s/” signature within this e-filed document and I have on file
17 confirmation of this concurrence for subjection production for the court if so ordered.

18 DATED: September 4, 2018 MITCHELL, BRISSO, DELANEY & VRIEZE, LLP

19

20 By: /s/ Nicholas R. Kloeppe
21 NICHOLAS R. KLOEPPEL
22 Attorneys for Defendants

21

22

23

24

25

26

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

ORDER

The above stipulation is accepted and it is so ordered. The date the first responsive pleading is due by all of the Defendants shall be on or before October 7, 2018. The Case Management Conference scheduled for September 11, 2018, shall be reset to November 20, 2018, at 2:00 pm in the Eureka Courthouse, located at 3140 Boeing Avenue, McKinleyville, CA 95519. All associated deadlines shall be similarly continued.

Dated: 9/7/2018



Honorable Robert M. Illman
UNITED STATES DISTRICT COURT