

1 JAQUELYNN POPE SBN 78600
 2 WARSHAW & POPE
 3 934 Hermosa Ave., Suite 14
 4 Hermosa Beach, CA 90254
 5 Tel. (310) 379-3410
 6 Fax (310) 376-6817

Attorneys for Plaintiff, North Pacifica LLC

6 UNITED STATES DISTRICT COURT
 7 NORTHERN DISTRICT OF CALIFORNIA

9	NORTH PACIFICA LLC,)	Case No.: C 03 4108
)	
10	Plaintiff,)	STIPULATION TO CONTINUE FURTHER
)	CASE MANAGEMENT CONFERENCE
11	vs.)	
)	Date: December 12, 2008
12	CITY OF PACIFICA, PACIFICA)	Time: 2:30 p.m.
	PLANNING COMMISSION, PACIFICA)	Courtroom: 10
13	CITY COUNCIL, JAMES VREELAND, as an)	Honorable Susan Illston, Judge SI
	individual, PETER DEJARNATT, as an)	
14	individual, and DOES 1-10, inclusive,)	
)	
15	Defendants.)	
)	

17 BACKGROUND FACTS

- 18 1. The within case was stayed by the Court pending a final decision in another
 19 federal case, North Pacifica v. City of Pacifica, C 01-4823 EMC, which was appealed to
 20 the Ninth Circuit Court of Appeals;
- 21 2. On May 13, 2008 the Ninth Circuit Court of Appeals opinion in that case
 22 was filed.
- 23 3. On June 3, 2008, North Pacifica filed a Petition for Rehearing.
- 24 4. On June 27, 2008, the Court denied the Petition.
- 25 5. On August 12, 2008, the District Court filed the judgment in that case.
6. On October 31, 2008, this Court ordered that a Further Case Management
 Conference be scheduled for November 19, 2008.

1 7. The parties herein began settlement discussions regarding this matter as
2 well as all outstanding disputes between the parties, and as a result, on November 4,
3 2008, the parties entered into a stipulation to continue the Further Status Conference
4 herein until December 12, 2008 at 2:30 p.m.

5 8. On or about November 5, 2008, this Court entered an Order continuing the
6 Status Conference under the terms of the Stipulation.

7 9. Settlement discussions have continued between the parties, but additional
8 time is required due to the fact that North Pacifica's attorney has been engaged in a State
9 Jury Trial in Los Angeles County. The trial date of December 1, 2008 was continued
10 from November 17, 2008 due to a partial settlement. It is anticipated that jury selection
11 will be complete by December 4 or 5, 2008 and that North Pacifica's attorney will still be
12 in trial on December 12, 2008 the date currently set for the Further Case Management
13 Conference herein. Therefore the parties have stipulated as follows:

14 STIPULATION

15 The parties hereto, by and through their respective attorneys hereby stipulate that
16 the Further Case Management Conference set for December 12, 2008 shall be continued
17 until December 22, 2008 at 3:00 p.m. In the event that the matter is settled in the
18 meantime, the parties will immediately inform the Court.

19 Dated: December 3, 2008

20 _____/s/
21 JAQUELYNN POPE
22 Attorney for North Pacifica

23 MCDONOUGH, HOLLAND & ALLEN

24 Dated: December 3, 2008

25 By: _____/s/
Attorneys for Defendants, City of Pacifica, et al.

IT IS SO ORDERED:

Dated:



Hon. Susan Illston, Judge