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11 Attorneys for Defendants

12 **UNITED STATES DISTRICT COURT**  
 13 **NORTHERN DISTRICT OF CALIFORNIA**

15 ROSALETY BARNETT, PETER  
 16 MORGANELLI, and all others similarly  
 17 situated,

18 Plaintiffs,

19 v.

20 COUNTY OF CONTRA COSTA,  
 CONTRA COSTA COUNTY SHERIFF'S  
 21 DEPARTMENT, CONTRA COSTA  
 COUNTY SHERIFF WARREN RUPF,  
 22 individually and in his official capacity,  
 CONTRA COSTA COUNTY SHERIFF'S  
 23 DEPUTIES DOES 1 THROUGH 100, and  
 ROES 1 THROUGH 20, INCLUSIVE,

24 Defendants.

Case No. C 04-04437 TEH

**STIPULATED REQUEST AND**  
~~**PROPOSED**~~ **ORDER TO EXTEND**  
**BRIEFING SCHEDULE TO FILE**  
**DEFENDANTS' OPPOSITION TO**  
**MOTION FOR CLASS CERTIFICATION**

Date: September 26, 2009  
 Time: 10:00 a.m.  
 Place: 450 Golden Gate Avenue  
 Courtroom 12, 19th Floor  
 Judge: Hon. Thelton E. Henderson

27 **STIPULATION**

28 Pursuant to the Northern District of California Local Rules 6-1(b), 6-2, and 7-12, Plaintiff

1 Adeline Chan (“Chan” or “Plaintiffs”) and Defendants Contra Costa County, Contra Costa  
2 County Sheriff’s Department, and Contra Costa County Sheriff Warren Rupf (“the County” or  
3 “Defendants”), hereby stipulate as follows:

4 ***WHEREAS***, on September 21, 2001, the Court entered an order pursuant to a joint  
5 stipulation of the parties providing the parties with an amended the briefing schedule, under  
6 which the Defendants’ Opposition to the Motion for Class Certification was due on October 2,  
7 2009, and setting the hearing on the Motion for Class Certification for October 26, 2009;

8 ***WHEREAS***, the parties are involved in on-going negotiations to reach an agreement on a  
9 stipulation on class certification and to renew mediation to resolve this Action (the “Settlement  
10 Stipulation”) and certain aspects of the Settlement Stipulation require the consent of Contra  
11 Costa’s excess insurance carrier which has yet to be confirmed, the parties respectfully submit  
12 this stipulated request to extend the time to file the Opposition to the Motion for Summary  
13 Judgment in order to try to reach an agreement which would obviate the need for further briefing  
14 in the Motion for Class Certification, including the Opposition at this time.

15 **STIPULATION**

16 **Now, therefore, Plaintiffs and Contra Costa Stipulate and respectfully request that**  
17 **the Court enter the Proposed Order granting:**

- 18 1. A one business-day extension of time for Contra Costa to file its opposition  
19 to the Motion for Class Certification on October 5, 2009., and
- 20 2. A one business-day extension of time for Plaintiffs to file their reply to  
21 Defendants’ opposition to Plaintiffs’ Motion for Class Certification on October 13, 2009.

22 Dated: October 2, 2009

BINGHAM MCCUTCHEN LLP

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24  
25 By:                                   /s / Peter Obstler    
Peter Obstler  
26 Attorneys for Defendants  
County of Contra Costa, Contra Costa County  
27 Sheriff’s Department, and Contra Costa County  
28 Sheriff Warren Rupf

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Dated: October 2, 2009

LAW OFFICE OF MARK E. MERIN

By:                     /s / Mark E. Merin                      
Mark E. Merin  
Attorneys for Plaintiffs

~~PROPOSED~~ ORDER

Good cause appearing, PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

