

June 18, 2009

Magistrate Judge Maria-Elena James
U.S. District Court, Northern District
450 Golden Gate Avenue, 16th Floor
P.O. Box 36060
San Francisco, CA 94102

Re: Ryan Ko v. City of Hayward; C05-1686 MEJ
Joint Status Letter & Request to Reschedule Hearing Date

Dear Judge James:

Following the Court's June 8, 2009 order vacating the hearing on the City's motion for summary judgment, plaintiff's counsel has been successful in obtaining agreement with the minor's Guardian ad Litem that Mr. Romaine be vested with authorization to use his independent judgment on legal matters, in the best interest of the minor. Accordingly, plaintiff's counsel will not seek removal of the Guardian ad Litem nor his own withdrawal from representation of the minor in this case.

Counsel for the minor and the City have met and conferred concerning the best way to proceed on the City's motion for summary judgment, and propose the following:

- That the Court reschedule the City's motion for summary judgment for a date convenient to the Court during the last week of July.
- Mr. Romaine shall provide his suggested draft version of the joint statement of undisputed facts to Ms. Hart by June 24, 2009.
- The parties shall file their joint statement of undisputed facts by July 1, 2009, together with an amended memorandum of points and authorities in support of the motion, should the City determine that to be necessary due to the final joint statement of undisputed facts.
- Plaintiff's opposition to the City's motion for summary judgment shall be served and filed no later than 21 days prior to the hearing on the motion.

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- The City's reply to the plaintiff's opposition shall be filed and served no later than 14 days prior to the hearing on the motion.

Respectfully submitted,

Michael S. Lawson, City Attorney

By: _____
Nancy D. Hart, Assistant City Attorney

Law Office of William A. Romaine

By: _____
William A. Romaine, Attorney for Plaintiff

The summary judgment hearing shall take place on July 30, 2009 at 10:00 a.m. in Courtroom B.

Dated: June 25, 2009

