

1 KEKER & VAN NEST, LLP
 ASHOK RAMANI - #200020
 2 BROOK DOOLEY - #230423
 JENNIFER A. HUBER - #250143
 3 710 Sansome Street
 San Francisco, CA 94111-1704
 4 Telephone: (415) 391-5400
 Facsimile: (415) 397-7188
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6 Attorneys for Plaintiff
 ZAMEER RIAZ AZAM

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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
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11 ZAMEER RIAZ AZAM,
 12 Plaintiff,
 13 v.
 14 OFFICER M. JOHNSON,
 15 Defendant.
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Case No. C-05-1858-MHP (PR)

**STIPULATION AND ~~PROPOSED~~
 ORDER EXTENDING TIME FOR
 PLAINTIFF TO SERVE REBUTTAL
 EXPORT REPORT**

Dept: Courtroom 15, 18th Floor

Judge: Hon. Marilyn Hall Patel

Trial Date: February 17, 2009

1 Pursuant to Local Rules 6-2 and 7-12 of the Northern District of California, it is hereby
2 stipulated and agreed by Plaintiff Zameer Riaz Azam and Defendant Mark Johnson, by and
3 through their attorneys, as follows:

4 WHEREAS, by Order dated September 22, 2008, the Court set the date for expert
5 disclosure on December 12, 2008, and the date for rebuttal expert disclosure on January 5, 2009;

6 WHEREAS, Defendant Mark Johnson's expert witness disclosure listed Captain David
7 Pascoe as a non-retained expert;

8 WHEREAS, Defendant Mark Johnson did not serve a Rule 26(a)(2)(B) expert report for
9 Captain Pascoe;

10 WHEREAS, Captain Pascoe had a pre-planned vacation set for the two weeks prior to
11 January 5, 2009, and was thus not available for deposition during that time; and

12 WHEREAS, Captain Pascoe is available for deposition on January 8, 2009, and will be
13 deposed by Plaintiff's counsel on that date;

14 IT IS HEREBY STIPULATED that Plaintiff shall have until January 16, 2009, to serve a
15 rebuttal expert report with respect to Captain Pascoe's expert opinions. Plaintiff's counsel will
16 serve its rebuttal expert report with respect to Captain Pascoe's expert opinions on Defendant's
17 counsel by electronic mail on January 16, 2009. Plaintiff will produce his expert for deposition
18 regarding rebuttal reports on January 21, 2009.

19 Dated: December 31, 2008

KEKER & VAN NEST, LLP

21 By: /s/ Brook Dooley

22 BROOK DOOLEY
23 Attorneys for Plaintiff
ZAMEER RIAZ AZAM

24 Dated: December 31, 2008

COUNTY OF CONTRA COSTA

26 By: /s/ Monika L. Cooper

27 MONIKA L. COOPER
28 Attorneys for Defendant
MARK JOHNSON

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I, Brook Dooley, am the ECF user whose ID and password are being used to file this STIPULATION TO EXTEND TIME TO RESPOND TO COMPLAINT. In compliance with General Order 45, X.B., I hereby attest that Monica L. Cooper has concurred in this filing.

[PROPOSED] ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Dated: January 5, 2009.

