

1 MARGARET A. KEANE (State Bar No. 255378)
 mkeane@dl.com
 2 DEWEY & LEBOEUF LLP
 Post Montgomery Center
 3 One Montgomery Street, Suite 3500
 San Francisco, CA 94104
 4 Telephone: (415) 951-1100
 Facsimile: (415) 951-1180

5 SEBASTIAN L. MILLER (State Bar No. 265793)
 smiller@dl.com
 6 DEWEY & LEBOEUF LLP
 7 1950 University Avenue, Suite 500
 East Palo Alto, CA 94303
 8 Telephone: (650) 845-7000
 Facsimile: (650) 845-7333

9 *Attorneys for Plaintiff Tracye B. Washington*

10 **IN THE UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**

13 TRACYE B. WASHINGTON,)
)
 14 Plaintiff,)
)
 15 v.)
)
 16 W.A. DUNCAN; R. BOUCHER;)
 L. HERNANDEZ; E. MOORE; A. GOMEZ;)
 17 R. PEREZ; L. BAEZ; and W.L. MUNIZ,)
)
 18 Defendants.)

Case No. C 05-2775 WHA (PR)

19 **STIPULATION AND ~~PROPOSED~~**
ORDER RE: MODIFICATION OF
CASE MANAGEMENT
CONFERENCE DATE

20 WHEREAS, on July 6, 2005, Plaintiff Tracye B. Washington filed a complaint against
 21 Defendants W.A. Duncan, R. Boucher, L. Hernandez, E. Moore, A. Gomez, R. Perez, L. Baez and
 22 W.L. Muniz;

23 WHEREAS, on March 10, 2006, W.L. Muniz, R. Perez and W.A. Duncan were terminated
 24 as Defendants;

25 WHEREAS, on March 15, 2006, the Court issued summonses as to Defendants R. Boucher,
 26 L. Hernandez, E. Moore and A. Gomez and on March 8, 2007 this Court issued a summons as to
 27 Defendant L. Baez;

28 **STIPULATION AND ~~PROPOSED~~ ORDER RE: MODIFICATION**
OF CASE MANAGEMENT CONFERENCE DATE

CASE NO. C-05-2775 WHA (PR)

1 WHEREAS, on May 23, 2011, this Court issued an Order granting summary judgment in
2 favor of Defendant E. Moore and denying summary judgment motions made by Defendants L. Baez,
3 L. Hernandez, A. Gomez and R. Boucher;

4 WHEREAS, on November 3, 2011, this Court appointed Sebastian Miller as counsel for
5 Plaintiff pursuant to 28 U.S.C. 1915(e)(1) and the Court's Federal Pro Bono Project guidelines;

6 WHEREAS, on November 3, 2011, this Court also ordered counsel for Plaintiff and
7 Defendants to appear at a Case Management Conference on December 15, 2011 at 11:00 a.m.;

8 WHEREAS, due to a long standing commitment, Sebastian Miller, counsel for the Plaintiff,
9 will be out of town the week of December 11 and therefore will not be able to attend the Case
10 Management Conference scheduled for December 15, 2011;

11 WHEREAS, Emily Brinkman, counsel for the Defendants, be visiting family out of town
12 during the Christmas holidays and therefore will not be available on either December 22, 2011 or
13 December 29, 2011;

14 WHEREAS, counsel for Plaintiff and counsel for Defendants are both available to attend a
15 Case Management Conference on January 5, 2012;

16 WHEREAS, Plaintiff and Defendants agree to submit a Joint Case Management Statement
17 by December 8, 2011 and recommence discovery before that date;

18 **IT IS HEREBY STIPULATED** by the parties, by and through their undersigned counsel,
19 that:

- 20 (1) The case management conference previously scheduled for December 15,
21 2011, at 11:00 a.m., is adjourned to January 5, 2011 at 11:00 a.m.;
- 22 (2) Plaintiff and Defendants will file a Joint Case Management Statement with
23 this Court by December 8, 2011.
- 24
- 25
- 26
- 27

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
27
28

Dated: November 7, 2011

DEWEY & LEBOEUF LLP

By: /s/ Sebastian L. Miller

Margaret A. Keane (SBN 255378)
mkeane@dl.com
Post Montgomery Center
One Montgomery Street, Suite 3500
San Francisco, CA 94104
Tel: (415) 951-1100
Fax: (415) 951-1180

Sebastian L. Miller (SBN 265793)
smiller@dl.com
1950 University Avenue, Suite 500
East Palo Alto, CA 94303
Tel: (650) 845-7000
Fax: (650) 845-7333

Attorneys for Plaintiff

Dated: November 7, 2011

DEPARTMENT OF JUSTICE

By: /s/ Emily L. Brinkman

Emily L. Brinkman
Emily.Brinkman@doj.ca.gov
CA Attorney General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102
Tel: (415) 703-5742

*Attorney for Defendants Gomez, Baez, Hernandez,
and Boucher*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 8, 2011


HONORABLE WILLIAM ALSUP

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
27
28

I, Sebastian L. Miller, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER RE: MODIFICATION OF CASE MANAGEMENT CONFERENCE DATE. In compliance with General Order 45, X.B., I hereby attest that counsel whose e-signature appears on the foregoing signature page has concurred with this filing.

/s/ Sebastian L. Miller _____