

1 DENNIS J. HERRERA, State Bar #139669  
 City Attorney  
 2 JOANNE HOEPER, State Bar #114961  
 Chief Trial Deputy  
 3 ROBERT A. BONTA, State Bar #202668  
 Deputy City Attorney  
 4 Fox Plaza  
 1390 Market Street, Seventh Floor  
 5 San Francisco, California 94102-5408  
 Telephone: (415) 554-4268  
 6 Facsimile: (415) 554-3837  
 E-Mail: Robert.bonta@sfgov.org

7  
 8 Attorneys for Defendants  
 CITY AND COUNTY OF SAN FRANCISCO,  
 9 MICHAEL HENNESSEY,  
 AND DEPUTY SCOTT NEU

10  
 11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA

13 DAVID SPEARS & SABRINA  
 14 WIGFALL,

15 Plaintiffs,

16 vs.

17 CITY AND COUNTY OF  
 SAN FRANCISCO, a municipal  
 18 corporation; SHERIFF MICHAEL  
 HENNESSEY in his official capacity as  
 19 Sheriff; DEPUTY NEU, individually and  
 in his official capacity as sheriff's deputy;  
 20 DOES 1-100, inclusive,

21 Defendants.

Case No. C 06-04968 VRW

**STIPULATION AND ~~PROPOSED~~  
 ORDER FOR REFERRAL TO  
 SETTLEMENT CONFERENCE WITH  
 MAGISTRATE JUDGE LARSON**

1 The undersigned parties, through counsel, STIPULATE and AGREE and jointly request that  
2 the above-captioned matter be referred to Magistrate Judge James Larson for a settlement conference  
3 in late May or early June 2009.  
4

5 The parties make this request based on the following circumstances:

6  
7 1. On April 30, 2009, counsel for the parties attended a case management conference  
8 with Chief Judge Vaughn Walker.

9  
10 2. At the April 30 case management conference, Chief Judge Walker ordered a pretrial  
11 conference to take place on July 2, 2009 and the trial in this matter to commence on August 10, 2009.

12 3. There is currently no settlement conference scheduled in the above-captioned matter.  
13

14 4. Counsel for the parties believe that a settlement conference with Judge Larson will be  
15 productive and will allow the parties to seriously explore opportunities to resolve the case. It will be  
16 most productive to have the settlement conference soon, before the expenditure of costs and time  
17 rapidly increases as the pretrial conference and trial approach.  
18

19 5. This is the first time the parties have requested a settlement conference with a  
20 Magistrate Judge in this matter. No other dates will be affected by this requested change.  
21

22 For the aforementioned reasons, the parties jointly request that the above-captioned matter be  
23 referred to Magistrate Judge James Larson for a settlement conference in late May or early June 2009.  
24  
25  
26  
27  
28

1 **SIGNATURE PAGE TO STIPULATION AND [PROPOSED] ORDER FOR REFERRAL TO**  
2 **SETTLEMENT CONFERENCE WITH MAGISTRATE JUDGE LARSON**

3 Dated: May 6, 2009

4 DENNIS J. HERRERA  
5 City Attorney  
6 JOANNE HOEPER  
7 Chief Trial Attorney  
8 ROBERT A. BONTA  
9 Deputy City Attorney

10 By: \_\_\_\_\_/s/  
11 ROBERT A. BONTA  
12 Attorneys for Defendants  
13 CITY AND COUNTY OF SAN FRANCISCO,  
14 SHERIFF MICHAEL HENNESSEY, AND DEPUTY  
15 SCOTT NEU

16 LAW OFFICE OF JOHN L. BURRIS

17 By: \_\_\_\_\_/s/  
18 ADANTE POINTER  
19 Attorneys for Plaintiffs  
20 SABRINA WIGFALL AND DAVID SPEARS

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

~~[PROPOSED]~~ ORDER

Pursuant to stipulation, and for good cause appearing, IT IS ORDERED that the above-captioned matter be referred to Magistrate Judge James Larson for a settlement conference in late May or early June 2009.

**IT IS SO ORDERED.**

Dated: May 7, 2009

