

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

CARLO ANTONIO DEL CONTE,

Plaintiff,

No. C 06-05030 JSW

v.

THE SAN FRANCISCO POLICE DEPT.,
OFFICER X KERWITZ, individually and as a
member of the San Francisco Police
Department, OFFICERS DOE 1 through DOE
8, being fictitious names, individually and as
members of the San Francisco Police
Department, SALLY MORIN, ESQ.
individually and as a member of the law firm
of James M. Millar, Esq., JAMES M.
MILLER, ESQ., TONY TORREZ and CHAD
SCHIMKE,

Defendants.

**SECOND ORDER REQUIRING
STATUS REPORTS**

On April 16, 2007, the Court stayed this action, pending completion of the state court proceedings, and ordered orders the parties to submit status reports regarding all related state court proceedings every 120 days. On July 11, 2007, the Law Firm Defendants filed a status report, in which they requested the Court set a status date. On February 27, 2008, the Court issued an Order clarifying that it did not intend to set status dates. Rather, pending completion of the state court proceedings, the Court ordered the parties to submit status reports advising it of the status of the state court proceedings and when, and if, they expected the stay to be lifted.

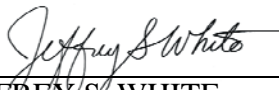
In that Order, the Court ordered the parties to submit a status report regarding the pendency of the state court proceedings by no later than March 14, 2008, and ordered the

1 parties shall continue to submit status reports every 120 days thereafter until the stay is lifted.
2 The parties did not file a status report as required on March 14, 2008, and there has been no
3 further activity in this case.

4 Accordingly, the parties are **HEREBY ORDERED** to submit a status report by no later
5 than September 26, 2008, regarding the status of the underlying proceedings. The parties are
6 **FURTHER ORDERED** to submit status reports every 120 days thereafter, until the stay in this
7 case is lifted. The parties are **FURTHER ADVISED** that failure to comply with this Order shall
8 result in sanctions being imposed.

9 **IT IS SO ORDERED.**

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11 Dated: Sept. 12, 2008



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

CARLO ANTONIO DEL CONTE,
Plaintiff,

Case Number: CV06-05030 JSW

CERTIFICATE OF SERVICE

v.

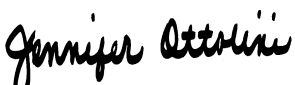
SF POLICE DEPT et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 12, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Carlo Antonio Del Conte
758 City Walk Place
#2
Hayward, CA 94545

Dated: September 12, 2008


Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk