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6 Attorneys for Defendant
CITY OF SAN PABLO; JOSEPH AITA; FRANK PERINO;
7 MARK GALIOS

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

11 DELORES STRINGER, individually and
as personal representative of the Estate of
12 decedent MELVIN HARDNETT; M.H., a
minor, by and through her Guardian Ad
13 Litem, Bonita Frazier; N.H., a minor, by
and through her Guardian Ad Litem,
14 Latonya Gray; and ME.H., a minor, by and
through her Guardian Ad Litem,
15 DELORES STRINGER,

16 Plaintiffs,

17 vs.

18 CITY OF SAN PABLO, a municipal
corporation; JOSEPH AITA, in his capacity
19 as Chief of Police for the CITY OF SAN
PABLO; FRANK PERINO, individually,
20 and in his capacity as a police officer for
the CITY OF SAN PABLO; MARK
21 GALIOS, individually and in his capacity
as a police officer for the CITY OF SAN
22 PABLO; and, San Pablo police officers
DOES 1-25, inclusive,

23 Defendants.
24

Case No. C07-3544MEJ

**STIPULATION AND ~~PROPOSED~~
ORDER MOVING DATE FOR PRE-
TRIAL CONFERENCE TO
DECEMBER 3, 2009**

Pretrial Conf. Date: December 10, 2009
Final Pretrial Conf.: January 7, 2010
Trial Date: January 11, 2010

Judge: Maria-Elena James

Location: Courtroom B
15th Floor
450 Golden Gate Avenue
San Francisco, CA

25 IT IS HEREBY STIPULATED between the parties as follows:

- 26 1. The date for the pre-trial conference, currently set for December 10, 2009, shall be
27 moved to December 3, 2009, per the mandates of the Court's July 1, 2009, Order Continuing
28 Pretrial and Trial Deadlines (Document 41).

2. Defense counsel have a conflict on December 10, 2009, as both lead trial counsel will be participating in the annual two day ADC (Association of Defense Counsel) conference in San Francisco on December 10th and 11th. Plaintiff's counsel has agreed to move the pre-trial conference one week forward to December 3, 2009.

3. This request will not affect the current trial date, currently set for January 11, 2010, and/or the final pre-trial conference date, currently set for January 7, 2010.

4. This request will, however, affect the deadlines for the filing of the final pretrial conference statement, motions *in limine* and any other pretrial filings, as set forth in the Court's July 1, 2009, Order Continuing Pretrial and Trial Deadlines (Document 41). The new schedule shall be as follows:

<u>Deadline Description</u>	<u>Current Date</u>	<u>Proposed Modified Date</u>
Counsel shall meet and confer with respect of the preparation and content of the joint pretrial conference statement and shall exchange (but not file or lodge) the papers described in ¶ 2 of the Court's Order Continuing Pretrial and Trial Deadlines, signed July 1, 2009 (Document No. 41).	November 10, 2009	November 3, 2009
Counsel shall file the papers described in FRCP 26(a)(3) and a joint pretrial conference statement.	November 25, 2009	November 18, 2009
Counsel shall file any motion <i>in limine</i> .	November 25, 2009	November 18, 2009
Counsel shall file any opposition to motions <i>in limine</i> .	December 3, 2009	November 25, 2009
Pretrial Conference	December 10, 2009	December 3, 2009
Counsel shall file trial briefs.	December 11, 2009	No change.
Counsel shall submit a joint set of requested voir dire, and separate voir dire questions on which counsel cannot agree.	December 11, 2009	No change.
Counsel shall submit a joint set of additional proposed jury instructions.	December 11, 2009	No change.
Counsel shall submit any joint proposed verdict forms, and their separate verdict forms.	December 11, 2009	No change.

Final Pretrial Conference	January 7, 2010	No change.
Trial Date	January 11, 2010	No change.

IT IS SO STIPULATED.

Respectfully submitted,

Dated: August __, 2009

LAW OFFICES OF JOHN L. BURRIS

By: _____
 John L. Burris, Esq. / Ben Nisenbaum, Esq.,
 Attorneys for Plaintiffs

Dated: August 3, 2009

MCNAMARA, DODGE, NEY, BEATTY, SLATTERY,
 PFALZER, BORGES & BROTHERS LLP

By: _____
 James V. Fitzgerald, III
 Noah G. Blechman
 Attorneys for Defendants
 CITY OF SAN PABLO; JOSEPH AITA; FRANK
 PERINO; MARK GALIOS

ORDER

The parties have demonstrated good cause to modify the dates set forth in the Court's July 1, 2009, Order Continuing Pretrial and Trial Deadlines (Document 41)., as follows:

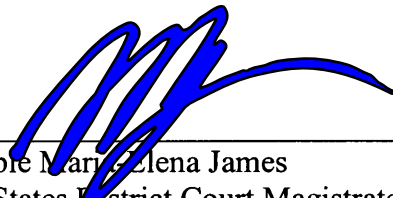
<u>Deadline Description</u>	<u>New Dates</u>
Counsel shall meet and confer with respect of the preparation and content of the joint pretrial conference statement and shall exchange (but not file or lodge) the papers described in ¶ 2 of the Court's Order Continuing Pretrial and Trial Deadlines, signed July 1, 2009 (Document No. 41).	November 3, 2009

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Counsel shall file the papers described in FRCP 26(a)(3) and a joint pretrial conference statement.	November 18, 2009
Counsel shall file any motion <i>in limine</i> .	November 18, 2009
Counsel shall file any opposition to motions <i>in limine</i> .	November 25, 2009
Pretrial Conference	December 3, 2009
Counsel shall file trial briefs.	No change (December 11, 2009)
Counsel shall submit a joint set of requested voir dire, and separate voir dire questions on which counsel cannot agree.	No change (December 11, 2009)
Counsel shall submit a joint set of additional proposed jury instructions.	No change (December 11, 2009)
Counsel shall submit any joint proposed verdict forms, and their separate verdict forms.	No change (December 11, 2009)
Final Pretrial Conference	No change (January 7, 2010)
Trial Date	No change (January 11, 2010)

IT IS SO ORDERED.

Dated: August 4, 2009

By: 
Honorable Mary Elena James
United States District Court Magistrate Judge