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17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA

20 DENNIS HART AND RON MILLER,

21 Plaintiffs,

22 v.

23 CITY OF ALAMEDA,

24 Defendant.

Case No.: C 07-05845 MMC

**STIPULATION TO CONTINUE CASE
 MANAGEMENT CONFERENCE AND
 PROPOSED ORDER**

1 IT IS HEREBY STIPULATED AND AGREED by Plaintiffs and Defendant, through
2 their respective counsel, that the November 20, 2009 Case Management Conference should be
3 continued for approximately sixty (60) days to give the parties additional time to attempt to
4 resolve this matter, given that the Court's ruling on the parties' cross-motions for partial
5 summary judgment has decided the key legal issues. The parties have participated in a
6 settlement conference and anticipate further discussions in and through the month of December.
7 At that time, the parties will be in a better position to identify whether they have reached a
8 resolution, whether the intervention of a third party or additional discovery is appropriate to
9 facilitate resolution, or whether the parties intend to proceed to trial with the remaining claims.

10
11 Date: November 9, 2009

BERRY WILKINSON LAW GROUP

12 By: _____ /s/

13 ALISON BERRY WILKINSON
14 Attorneys for Plaintiffs
DENNIS HART AND RON MILLER

15 Date: November 9, 2009

WILEY PRICE & RADULOVICH, LLP

16 By: _____ /s/

17 IAN P. FELLERMAN
18 Attorneys for Defendant
CITY OF ALAMEDA

19 **ORDER**

20 Pursuant to Stipulation of the parties, the Court hereby Orders that the Case Management
21 Conference scheduled for November 20, 2009 is continued to February 5
22 January ____, 2010 at 10:30 a.m.,
23 with an updated Joint Case Management Statement to be filed by the parties seven days prior
24 thereto.

25
26 Date: November 13, 2009

27 
28 MAXINE CHESNEY
United States District Court Judge