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7 Attorneys for Defendants  
 Deputy Jones, Lieutenant Cabebe and  
 8 Asuncion Bendebel

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11 JEFFREY WALKER,  
 12 Plaintiff,

13 vs.

14 OFFICER JONES, ASUCION BENDEBEL,  
 CN, STACY WILSON, THERAPIST,  
 15 SRGT. CABEBE, PES MD DOE, JOHN  
 DOE 1, JOHN DOE 2, JOHN DOE 3, JOHN  
 16 DOE 4, JOHN DOE 5, JANE DOE  
 SUPERVISORY OFFICIAL, Sued in their  
 17 Individual and Official Capacities,

18 Defendants.

Case No. 08-CV-0757 CRB

**STIPULATION AND JOINT REQUEST FOR  
 RELIEF FROM ORDER SETTING CASE  
 MANAGEMENT CONFERENCE AND  
 ORDER**

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 21 Pursuant to Local Rules 16-2(d) and 7-12, Plaintiff Jeffrey E. Walker and Defendants  
 22 stipulate and jointly request a continuance of the Case Management Conference ("CMC") in this  
 23 case for 35 days. Per the Court's order of October 26, 2012, the Case Management Conference is set  
 24 for Friday, March 29, 2013 at 8:30 a.m., and the case has been referred for settlement mediation  
 25 before Magistrate Judge Vadas. The parties engaged in multiple settlement conferences, but no  
 26 conference is currently pending.

27 The parties agree that the interests of justice would be served by a 35 day continuance of the  
 28 CMC and that the settlement conference occur no earlier than May 3, 2013. Since the Court's order,

1 the parties arranged to amass key medical documents and take the deposition of a nurse who cared  
2 by plaintiff in the immediate aftermath of the incident. However, due to scheduling conflicts on  
3 behalf of plaintiff and a delay in the California Men's Colony's production of medical records, this  
4 important discovery will not be completed in April. The parties have agreed upon a tentative date  
5 for the deposition in early May, and defendants' subpoena agent is working with the California  
6 Men's Colony to track down the medical records.

7 Both parties continue to agree that mediation may be successful in this case, and that  
8 mediation should take place before the CMC. Continuing the CMC for 35 days will allow Plaintiff  
9 to take the remaining key deposition, receive and review the relevant medical records, and take part  
10 in a meaningful mediation session. In so doing, the dispute is more likely to be resolved through  
11 mediation with no further judicial intervention.

12 THEREFORE, IT IS HEREBY STIPULATED, AGREED, AND REQUESTED by the  
13 parties, through their respective counsel, that the Case Management Conference currently scheduled  
14 to take place on March 29, 2013 be continued until May 3, 2013 at 8:30 a.m., or on such a date and  
15 at such a time thereafter as is convenient for the Court, and that the parties be referred back to Judge  
16 Vadas for settlement mediation once key medical discovery is complete.

17  
18 Dated: March 19, 2013

19 DENNIS J. HERRERA  
20 City Attorney  
21 CHERYL ADAMS  
22 Chief Trial Deputy

23 By:     /s/ Michael Gerchow  
24 MICHAEL GERCHOW  
25 Deputy City Attorney

26 Attorneys for Defendants Deputy Jones, Lt. Cabebe,  
27 and Ms. Bendebel

28 Dated: March 19, 2013

By:     /s/ Robert J. Williams  
ROBERT J. WILLIAMS  
COVINGTON & BURLING LLP

Attorneys for Plaintiff Jeffrey E. Walker

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PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: March 19, 2013

