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9 SHAWNA WILKINS-JONES

10
11 IN THE UNITED STATES DISTRICT COURT
12 IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 SHAWNA WILKINS-JONES,
14 Plaintiff,

CASE NO. C08-01485-MHP
Civil Rights

15 v.
16

**MOTION TO CONTINUE CASE
MANAGEMENT CONFERENCE AND
[PROPOSED] ORDER**

17 PHS CORRECTIONAL
18 HEALTHCARE; MELISSA
19 BROWN, LVN.; MARTHA
DOES 1-10, Inclusive,
20 Defendants.

Date: October 7, 2011
Time: 10:00 a.m.
Place: U.S. District Court
450 Golden Gate Ave.
18th Floor, Courtroom 15
San Francisco, CA 94102
Judge: Edward M. Chen

21
22 **STATEMENT OF THE CASE**

23 The Complaint in this case was filed on March 17, 2008, against the
24 County of Alameda for violation of the Americans with Disabilities Act and
25 attendant State civil rights laws at the Alameda County Jail at Santa Rita. The
26 Court dismissed all injunctive relief claims on November 16, 2010. It dismissed
27 the remaining claims on August 19, 2011. At the same time, it granted Plaintiff's
28 Motion to Amend to add as defendants PHS Correctional Healthcare, Melissa

1 Brown, Martha Campos, and Bill Wilson, who are Alameda County's medical
2 services contractor for the Santa Rita Jail and its employees. Plaintiff filed the
3 First Amended Complaint in this case on September 12, 2011.

4 In its August 19, 2011, Order the Court set a Case Management
5 Conference for October 7, 2011.

7 REQUEST FOR CONTINUANCE

8 Plaintiff requests that the October 7, 2011, Case Management Conference
9 (CMC) be continued until December 2, 2011, on the grounds that defendants
10 have not entered appearances in the case. Plaintiff expects they will respond to
11 the First Amended Complaint (FAC) no later than October 28, 2011. Declaration
12 of Celia McGuinness. Moving the CMC to December 2nd will enable defendants
13 to assess the case and the parties to confer and define what the issues will be.

14 In the event the Court declines to defer the CMC until after the defendants
15 have responded to the FAC, plaintiff nevertheless requests a continuance of the
16 CMC for one week, until October 14, 2011. The undersigned plaintiff's counsel
17 is the lead attorney in this case and the only attorney who is up to date about the
18 case. *Id.* She has a family obligation on October 7th involving her son's school,
19 an event which cannot be rescheduled and is important she attend. *Id.*

21 CONCLUSION

22 For the foregoing reasons plaintiff respectfully requests that the Court
23 continue the CMC until December 2, 2011, to allow the new defendants to
24 respond to the Complaint and be better prepared to discuss case management
25 issues. In the alternative, plaintiff requests a one-week continuance to enable her
26 counsel to attend her son's school event.

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1 Respectfully submitted,

2 Dated: September 30, 2011

LAW OFFICES OF PAUL L. REIN

3
4 /s/ Celia McGuinness
5 By CELIA MCGUINNESS
6 Attorneys for Plaintiff
7 SHAWNA WILKINS-JONES

8
9 **[PROPOSED] ORDER**

10 GOOD CAUSE BEING SHOWN, it is hereby ordered that the Case
11 Management Conference in this case be continued until December 2, 2011, at
12 9:00 a.m., with an Updated Joint Case Management Conference Statement to be
13 filed one week earlier. Plaintiff is ordered to provide a copy of this Order to
14 defendants.

15
16
17 Dated: October 4, 2011

