

1 JAMES V. FITZGERALD, III (State Bar No. 55632)
 NOAH G. BLECHMAN (State Bar No. 197167)
 2 MCNAMARA, DODGE, NEY, BEATTY, SLATTERY,
 PFALZER, BORGES & BROTHERS LLP
 3 1211 Newell Avenue
 Post Office Box 5288
 4 Walnut Creek, CA 94596
 Telephone: (925) 939-5330
 5 Facsimile: (925) 939-0203

6 Attorneys for Defendant
 CITY OF ANTIOCH

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 ERIC QUESADA, BENNY PUGH, JR.,
 PAMELA SHERMAN, PATRICIA
 12 QUESADA, JUAN CARLOS RIVERA and
 PAGE BLEHM,

13 Plaintiffs,

14 vs.

15 CITY OF ANTIOCH, a municipal entity
 16 form unknown, and DOES 1-50, unknown
 Antioch Police Officers, Supervisors and
 17 Policymakers,

18 Defendants.

Case No. CV08-1567 JL

**STIPULATION AND ~~PROPOSED~~
 ORDER CONTINUING CASE
 MANAGEMENT CONFERENCE**

Current CMC: February 3, 2010

Proposed Further CMC: May 5, 2010

19
 20 IT IS HEREBY STIPULATED between the parties that the currently set case
 21 management conference of February 3, 2010, should be hereby continued until May 5, 2010, or
 22 another later date per the Court's availability, due to the fact that the criminal trial underlying the
 23 arrest and use of force issues in this civil case, which led to Your Honor staying this civil matter
 24 until the completion of the criminal case, is set to go forward on April 19, 2010. This criminal
 25 trial date was only set a few weeks ago by the criminal court.

26 There does not appear to be any need to attend a further case management conference in
 27 this stayed matter until the conclusion of the criminal case involving three of the six named
 28 Plaintiffs in this matter, especially since this matter should remain stayed until following that

McNAMARA, DODGE, NEY, BEATTY, SLATTERY, PFALZER, BORGES & BROTHERS LLP
 ATTORNEYS AT LAW
 P.O. BOX 5288, WALNUT CREEK, CA 94596
 TELEPHONE: (925) 939-5330

McNAMARA, DODGE, NEY, BEATTY, SLATTERY, PFALZER, BORGES & BROTHERS LLP
ATTORNEYS AT LAW
P.O. BOX 5288, WALNUT CREEK, CA 94596
TELEPHONE: (925) 939-5330

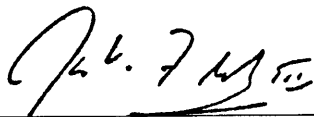
1 criminal trial per prior order of the Court.

2 All counsel have agreed to continue the case management conference from February 3,
3 2010, to May 5, 2010, or another date thereafter per the Court's availability, at 10:30 a.m. in
4 Your Honor's department. The parties understand that an updated case management conference
5 statement would be due filed one week prior to the case management conference.

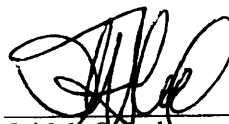
6
7 **IT IS SO STIPULATED**

8 Dated: January 25, 2010

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

9
10 By: 
11 James V. Fitzgerald, III
12 Noah G. Blechman
13 Attorneys for Defendant
14 CITY OF ANTIOCH

15 Dated: January 25, 2010

16 By: 
17 Jai M. Gohel
18 Dennis Cunningham
19 Attorneys for Plaintiffs

20 **ORDER**

21 Good cause having been shown by the parties, the Court hereby continues the currently set
22 case management conference from February 3, 2010, to May 5, 2010, at 10:30 a.m. in Courtroom
23 F, 15th Floor. An updated joint case management conference statement needs be filed by the
24 parties by no later one week prior to the new case management conference date. This matter
25 remains stayed.

26 **IT IS SO ORDERED.**

Dated: January 26, 2010

By: 
Honorable James Larson
United States Magistrate Judge