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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GABRIEL HURST,  
Plaintiff,  
  
v.  
CITY OF ALAMEDA,  
Defendant.

No. C 08-2518 WDB  
  
ORDER FOLLOWING FURTHER  
CASE MANAGEMENT  
CONFERENCE

United States District Court  
For the Northern District of California

On February 11, 2009, the parties appeared for a Further Case Management Conference. In their Joint Case Management Statement and on the record during the Conference, the parties indicated that they had attempted to resolve this action through a court-sponsored early neutral evaluation but were unable to settle at that time. Therefore, the Court Orders the parties as follows:

On the record during the Case Management Conference, counsel for the Plaintiff stated that Plaintiff had decided to dismiss with prejudice the City of Alameda and its Police Chief. Because Defendants have been served and appeared in this action, their consent to the dismissal is required. By February 27, 2009, Plaintiff must file a stipulation and Proposed Order dismissing with prejudice the City of Alameda and its Police Chief.

February 27, 2009 is the deadline for Plaintiff to file any motion seeking leave to add either new Defendants or new causes of action.


Because the Undersigned plans to retire on October 2, 2009, he could preside over a trial in this case only if it commenced by mid-September, 2009. By February 27, 2009, the parties must file a joint statement in which they (1) agree to try this matter by mid-September

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of this year, (2) agree that this case be reassigned to a another Magistrate Judge (whom they may select), or (3) ask that the Court's computer randomly reassign this case to a District Judge.

IT IS SO ORDERED.

Dated: February 18, 2009

  
WAYNE D. BRAZIL  
United States Magistrate Judge