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 HUMBOLDT COUNTY  
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16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
 18 SAN FRANCISCO DIVISION  
 19

20 HANS ASHBAUCHER, et al.,

21 Plaintiffs,

22 v.

23 CITY OF ARCATA, et al.,

24 Defendants.  
 25

Case No. 08-cv-2840 EMC

**STIPULATION FOR EXTENSION  
 OF CASE MANAGEMENT  
 DEADLINES ; ORDER (with modification)**

1 Pursuant to Northern District Local Rules 7-12 and 6-2, counsel for Plaintiffs  
2 Hans K. Ashbaucher, Johnie C. Miller, and Kimberly L. Starr and counsel for  
3 Defendants City of Arcata and Humboldt County hereby submit this Stipulation and  
4 Proposed Order to extend the fact discovery cut-off, and to extend the deadlines for the  
5 expert reports, expert rebuttal reports, the expert discovery cut-off, and dispositive  
6 motions.

7 This is the Parties' second request to alter deadlines set forth in the Case  
8 Management Order adopted by this Court on October 28, 2011. (Dkt. 186.) The first  
9 request was granted by this Court on April 10, 2012, and related only to the discovery cut-  
10 off dates. (Dkt. 196.)

11 The Parties are engaged in settlement negotiations which are contingent upon the  
12 adoption of revised ordinances and regulations by the City of Arcata.

13 The Parties have made progress since the last extension was granted by this Court,  
14 and new ordinances have been enacted; however some revised regulations and policies  
15 still need to be finalized.

16 After meeting and conferring regarding settlement and discovery issues, the Parties  
17 agree that a limited extension of deadlines is appropriate to allow the City of Arcata to  
18 promulgate revised regulations and policies, and to allow Plaintiffs time to review said  
19 revisions.

20 The Parties believe that the City of Arcata will be able to complete adoption of its  
21 revised policies and procedures on or before June 4, 2012.

22 A limited extension of the deadlines will enable the Parties to resolve the case  
23 efficiently, without the considerable cost of completing the discovery process; while  
24 preventing prejudice to either party should settlement negotiations ultimately be  
25 unsuccessful.

26 Furthermore, the expert witnesses Plaintiffs retains will not be able to complete  
27 their expert reports by the current deadline without production of outstanding discovery.  
28

1 IT IS HEREBY STIPULATED AND AGREED by the Parties, by and through  
2 their respective counsel, that:

3 1. The case management dates are to be reset as follows:

4 <b>Event</b>	<b>Current Deadline</b>	<b>Stipulated Deadline</b>
5 Fact discovery cut-off	May 25, 2012	July 6, 2012
6 Expert reports	May 25, 2012	July 6, 2012
7 Expert rebuttal reports	June 15, 2012	July 27, 2012
8 Expert discovery cut-off	July 1, 2012	August 17, 2012
9 Dispositive Motions	Last day to be heard: July 27, 2012 at 1:30 p.m.	Last day to be heard: 14 September 21, 2012

11  
12 2. None of the other case management dates are altered by this stipulation.

13  
14 Dated: May 14, 2012

JAMES M. SCHURZ  
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17 By: /s/ Robert T. Petraglia  
ROBERT PETRAGLIA

18 Attorneys for Plaintiffs  
19 HANS ASHBAUCHER  
JOHNIE MILLER  
20 KIMBERLY STARR

21 Dated: May 14, 2012

NICHOLAS R. KLOEPPPEL  
NANCY K. DELANEY  
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24 By: /s/ Nicholas R. Kloepffel  
NICHOLAS R. KLOEPPPEL

25 Attorneys for Defendants  
26 CITY OF ARCATA  
27 HUMBOLDT COUNTY  
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**PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.**

May 18, 2012

Date: \_\_\_\_\_

The Honorable Ed

