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10
 11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**
 13 **SAN FRANCISCO DIVISION**
 14

15 JAMES JENKINS, SHAWN PICKETT,
 16 ARNOLD THREETS, AND CLEVELAND
 BROWN,

17 Plaintiffs,

18 v.

19 CITY OF RICHMOND, a California
 20 Governmental Entity,

21 Defendant.

Case No. C-08-03401 EMC
 Judge: Hon. Edward M. Chen

**STIPULATION AND PROPOSED ORDER
 CONTINUING THE FURTHER CASE
 MANAGEMENT CONFERENCE**

Date: January 31, 2013
 Time: 10:30 a.m.
 Crtrm.: 1

Pretrial Date: July 9, 2013
 Trial Date: July 29, 2013

22
 23 Plaintiff Shawn Pickett, John Bell the Chapter 7 Trustee of the estate of Plaintiff Arnold
 24 Threets, and real party in interest, and Defendant City of Richmond hereby submit this Stipulation
 25 and Proposed Order to continue the presently scheduled Case Management Conference on January
 26 31, 2013, for a period of two weeks to February 14, 2013, or any first date thereafter that the Court
 27 has availability for a further Case Management Conference.
 28

1 There is good cause in which to grant this request, as the Bankruptcy Trustee, Mr. Bell is
2 the representative of the Chapter 7 estate and is in the process of interviewing and retaining special
3 litigation counsel to represent the estate in this litigation. The Trustee reasonably believes that he
4 only needs an additional two weeks to finalize the retention and obtain special litigation counsel to
5 represent the Chapter 7 estate.

6 There is no prejudice to any party as a result of this request, and this request promotes
7 judicial economy, in that convening a further Case Management Conference on January 31, 2013,
8 would likely be premature, and a waste of judicial resources, as the Trustee is in the process of
9 making the final retention decision in this litigation, and the Trustee cannot move forward until
10 this decision is made.

11 SO STIPULATED.

12 DATED: January 23, 2013

MEYERS, NAVE, RIBACK, SILVER & WILSON

14 By: //s// Geoffrey Spellberg

15 Geoffrey Spellberg
16 Attorneys for Defendant
17 CITY OF RICHMOND

18 DATED: January 23, 2013

BROWN | POORE LLP

20 By: //s// David M. Poore

21 David M. Poore
22 Attorneys for Plaintiff
23 SHAWN PICKETT

24 DATED: January 23, 2013

CHAPTER 7 BANKRUPTCY TRUSTEE

26 By: //s// John Bell

27 John Bell
28 Trustee for Plaintiff Threats Bankruptcy Estate
ARNOLD THREETS

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[PROPOSED] ORDER

IT IS ORDERED that the further Case Management Conference, which is presently scheduled for January 31, 2013, is hereby continued to February 14, 2013, at 10:30 a.m. The Court finds that good cause exists for this continuance of the hearing, as the Bankruptcy Trustee needs additional time to retain special litigation counsel. The parties are ordered to file updated Joint Case Management Conference statements seven (7) days before the hearing.

SO ORDERED.

Dated: January 24, 2013

