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19 UNITED STATES DISTRICT COURT  
 20 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 21 SAN FRANCISCO DIVISION

22 LARAE BROWN,  
 23 Plaintiff,

24 v.

25 CITY OF OAKLAND, a municipal  
 26 corporation; DEBORAH EDGERLY, in her  
 27 official capacity as the City Administrator  
 for the CITY OF OAKLAND; DOES 1  
 through 25, inclusive,  
 28 Defendants.

Case No. C 08-03972 VRW

Complaint Filed: 8/20/2008  
 Amended Complaint Filed: 3/12/2009

**JOINT STIPULATION TO MODIFY  
 AND TEMPORARILY VACATE JULY  
 12, 2010, PRETRIAL SCHEDULING  
 AND ~~PROPOSED~~ ORDER  
 MODIFYING AND TEMPORARILY  
 VACATING JULY 12, 2010, PRETRIAL  
 SCHEDULING**

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1 Plaintiff Larae Brown, Defendant City of Oakland, and Defendant Deborah Edgerly  
2 (collectively the "Parties") through their respective counsel stipulate as follows:

3 WHEREAS, the non-expert discovery cut-off date is October 29, 2010;

4 WHEREAS, the Parties have been working cooperatively and diligently in trying to  
5 schedule depositions for mutually available dates;

6 WHEREAS, due to a series of unavoidable events occurring within the same time period  
7 for the Parties, the Parties were unable to agree to a mutual schedule of depositions;

8 WHEREAS, these unavoidable events included four jury trials, one class action trial  
9 preparation, two motions for class certification, motions for preliminary injunctions, and  
10 monitoring of activities from a prior class action litigation;

11 WHEREAS, the Parties are prepared to continue to work cooperatively and diligently to  
12 agree to a mutual schedule of depositions;

13 WHEREAS, the Parties believe that it is to their best interests to conduct limited  
14 discovery of five witnesses and then proceed to mediation to try to resolve this litigation, and  
15 pursuant to that plan, the Parties agree to conduct critical depositions of Plaintiff Larae Brown,  
16 Defendant Deborah Edgerly, and possibly three other witnesses;

17 WHEREAS, the Parties plan to complete the aforementioned depositions by January 10,  
18 2011;

19 WHEREAS, the Parties plan to go to mediation before the end of February 2011;

20 WHEREAS, the Parties stipulate to modify the July 12, 2010, Pretrial Scheduling, and to  
21 continue the non-expert discovery cut-off date to January 10, 2011.

22 WHEREAS, the Parties stipulate to temporarily vacate the following dates in the July 12,  
23 2010, Pretrial Scheduling until after the Parties have had an opportunity to go to mediation:  
24 November 16, 2010 (Last day to disclose expert witnesses), November 30, 2010 (Last day to  
25 disclose rebuttal expert witnesses), December 30, 2010 (Expert discovery cut-off), April 14, 2011  
26 (Last day to hear dispositive motions), and May 26, 2011 (Pretrial conference); and

27 WHEREAS, the Parties agree that if this case is not resolved during mediation, the Parties  
28 will provide the Court with a new proposed pretrial scheduling and to complete the remaining

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1 discovery;

2 IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES:

3 That the July 12, 2010, Pretrial Scheduling be modified and that the non-expert discovery  
4 cut-off date be continued to January 10, 2011;

5 That the following dates in the July 12, 2010, Pretrial Scheduling be temporarily vacated  
6 until after the Parties have had an opportunity to go to mediation: November 16, 2010 (Last day  
7 to disclose expert witnesses), November 30, 2010 (Last day to disclose rebuttal expert witnesses),  
8 December 30, 2010 (Expert discovery cut-off), April 14, 2011 (Last day to hear dispositive  
9 motions), and May 26, 2011 (Pretrial conference); and

10 That if this case is not resolved during mediation, the Parties will provide the Court with a  
11 new proposed pretrial scheduling and to complete the remaining discovery.

12 Respectfully submitted,

13 Dated: October 25, 2010

LAFAYETTE & KUMAGAI LLP

14 /s/ Michael J. Eng

15 MICHAEL J. ENG  
16 Attorneys for Defendant  
17 DEBORAH EDGERLY

18 Dated: October 25, 2010

RUIZ & SPEROW, LLP

19 /s/ Jonathan D. Martin

20 JONATHAN D. MARTIN  
21 Attorneys for Defendant  
22 CITY OF OAKLAND

23 Dated: October 25, 2010

LAW OFFICES OF JOHN L. BURRIS

24 /s/ John L. Burris

25 JOHN L. BURRIS  
26 Attorney for Plaintiff  
27 LARAE BROWN

28

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ORDER

PURSUANT TO THE STIPULATION BETWEEN THE PARTIES IT IS HEREBY  
ORDERED:

The non-expert discovery cut-off date of October 29, 2010, in the July 12, 2010, Pretrial Scheduling is continued to January 10, 2011.

The following dates in the July 12, 2010, Pretrial Scheduling shall be temporarily vacated until after the Parties have had an opportunity to go to mediation: November 16, 2010 (Last day to disclose expert witnesses), November 30, 2010 (Last day to disclose rebuttal expert witnesses), December 30, 2010 (Expert discovery cut-off), April 14, 2011 (Last day to hear dispositive motions), and May 26, 2011 (Pretrial conference). If this case is not resolved during mediation, the Parties will provide the Court with a new proposed pretrial scheduling and to complete the remaining discovery.

IT IS SO ORDERED.

Date: Nov 5, 2010

