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5 Attorneys for Plaintiffs
 DANIELLE POLLAR, SHALAWN POLLAR
 6 as Guardian Ad Litem for J.A., a minor

7
 8 IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 DANIELLE POLLAR, et al.,)	Case No. 08-04196 BZ
)	
10 Plaintiffs,)	
)	STIPULATION FOR AN
11 vs.)	ORDER TO CONTINUE THE
)	TRIAL DATE AND PRETRIAL
12 COUNTY OF ALAMEDA, et al.,)	MATTERS
)	
13 Defendants.)	
14 _____)	

15
 16 The parties hereto, by and through their respective counsel, do hereby stipulate and
 17 agree as set forth below on the following recital of facts and request this court order same:

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 19 1. The parties have diligently pursued discovery and cooperated in that pursuit
 20 through the entirety of these proceedings. They have exchanged various audio and video
 21 tapes. They have taken the depositions of defendant Marcy Takeuchi and witness Jason
 22 Anderson, and have started but were unable to complete the depositions of plaintiff Danielle
 23 Pollar and defendant Mike Edwards. The deposition of Michael Yee was previously
 24 scheduled for June 10, 2009, however, was unable to take place, as the deposition of Mr.
 25 Anderson took considerably longer than expected; he was not prepared or represented by

1 counsel.

2 2. Additionally, the deposition of witness Charleen Casteel was noticed for June
3 17, 2009, however, as a result of suffering from Pneumonia, Defense Counsel, Andrea Najor
4 was unable to attend and had to cancel the deposition. Thus, Ms. Casteel’s deposition has
5 been re-noticed to take place on July 9, 2009. The parties anticipate that excluding PMK
6 depositions (the number of which may range from 2 to 4), there are still at least nine more
7 depositions that must take place. All parties have cooperated in scheduling and hope to get
8 scheduling of all remaining depositions finalized shortly.

9 3. The parents of the child plaintiff in this matter were in a related family law
10 paternity and restraining order action, their involvement therein (as plaintiffs allege it)
11 occurring as a result of the defendants actions. “Paternity actions” are actions between
12 unmarried parents, and such actions have confidentiality under California law and thus
13 documents related thereto are not available to the general public in the manner of a typical
14 marital dissolution proceeding file, which any member of the public can review and order a
15 copy of and use as they wish. Defendants could not conduct meaningful depositions until they
16 obtained those records and Plaintiffs were unable to provide them to counsel without an order
17 from this court. A stipulation was submitted recently on that issue, and an order which this
18 court signed, allowing all of the parties to now have all documents.

19 4. In addition, there were related documents held by the Alameda County Social
20 Services Agency, which are also confidential under California law, and required a state court
21 filing and hearing procedure, followed by a document selection, redaction, and copying
22 procedure, all of which caused delays outside of those which might routinely occur in a
23 general civil tort action.
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2 5. In the event that the Court is unable to schedule the trial for the dates proposed
3 by this Stipulation, the parties requests that the Court hold a scheduling conference,
4 telephonically if that is acceptable to the Court, so that plaintiffs' counsel and defendants'
5 counsel could choose a new trial date suitable to the Court and their calendars. Counsel
6 requests that in the event that the Court holds a scheduling conference to set a new trial date
7 that it allow counsel to appear by telephone.
8

9 BASED on the foregoing recitals, the parties stipulate and request the court order that;

10 1. The current trial date is vacated, and trial is now set on **Monday, March 08, 2010**.

11 2. The Pretrial Conference Date to be continued from Tuesday, 11/17/2009 until
12 **Tuesday, 2/16/2010**

13 3. The Last Day to Hear Dispositive Motions to be continued from Wednesday,
14 10/7/2009 until **Friday, 1/22/2010**

15 4. The Last Day for Expert Discovery to be continued from Friday 8/28/2009 until
16 **Friday, 11/27/2009**.

17 5. The Last Day for Rebuttal Expert Disclosure to be continued from Friday 8/21/2009
18 until **Friday, 11/20/2009**.

19 6. The Last Day for Expert Disclosure to be continued from Friday, 8/14/2009 until
20 **Friday, 11/13/2009**.

21 7. The Close of all Non-expert Discovery to be continued from Friday, 8/7/2009 to

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Friday, 11/6/2009.

IT IS SO STIPULATED.

Dated : 7/1/09

 /S/ Robert R. Powell
ROBERT R. POWELL, ESQ.
Attorney for Plaintiffs

Dated : 7/1/09

 /S/ Nancy D. Hart
NANCY D. HART, ESQ.
Attorney for City of Hayward, and
Individually Named Defendant
Employees of the City of Hayward

Dated : 7/1/09

 /S/ Andrea A. Najor
ANDREA A. NAJOR, ESQ.
Attorney for County of Alameda, and
Individually Named Defendant
Employees of the County of Alameda


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2 **[PROPOSED] ORDER**

3 Based on the foregoing stipulation, and good cause appearing therefore, the
4 court hereby adopts the stipulation of the parties and orders as follows:

- 5 1. The current trial date is vacated, and trial is now set on **Tuesday, March 08, 2010**.
- 6 2. The Pretrial Conference Date to be continued from Tuesday, 11/17/2009 until
7 **Tuesday, 2/16/2010**
- 8 3. The Last Day to Hear Dispositive Motions to be continued from Wednesday,
9 10/7/2009 until **Wednesday, ~~1/16/2010~~ 1/20/2010**
- 10 4. The Last Day for Expert Discovery to be continued from Friday 8/28/2009 until
11 **Friday, 11/27/2009**.
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13 until **Friday, 11/20/2009**.
- 14 6. The Last Day for Expert Disclosure to be continued from Friday, 8/14/2009 until
15 **Friday, 11/13/2009**.
- 16 7. The Close of all Non-expert Discovery to be continued from Friday, 8/7/2009 to
17 **Friday, 11/6/2009**.

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19 **IT IS SO ORDERED.**

20 Dated: 7 / 6 /09

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22 JUDGE OF THE U.S. DISTRICT
23 COURT FOR THE NORTHERN
24 DISTRICT- SAN FRANCISCO

25 Bernard Zimmerman,
U.S. Magistrate Judge