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1	1 MARK F. HAZELWOOD, # 136521 DIRK D. LARSEN, # 246028		
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5	5 Attorneys for Defendants CITY OF CLEARLAKE, ALLAN McLAIN,		
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9	UNITED STATES DISTRICT COURT		
10	NORTHERN DISTRICT OF CALIFORNIA		
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12 13	GRANT MEYER AND MARILYN MEYER,) Ca	se No. 3:08-cv-04372 MEJ	
13	Plaintiffs,) ST	IPULATION AND ROPOSED] ORDER TO	
15	vs.) ČC	ONTINUE PRETRIAL EADLINES	
16	CITY OF CLEARLAKE, ALLAN McLAIN, LEE)		
17	CURT GIAMBRUNO, CHUCK LEONARD, JUDY)		
18	MILLER, JOSEPH ROÓD, SARGENT RHODES,)		
19	AMERICAN TOWING,		
20	Defendants.		
21	1		
22	The parties to the above-captioned action, through their respective counsel, hereby stipulate as		
23	set forth below, and request that the Court enter an order pursuant to their stipulation:		
24	1. To continue the deadline for all discovery from January 11, 2010, to February 25, 2010;		
25	5 2. To continue the deadline for the disclosure of	expert witnesses from December 16, 2009,	
26	6 to January 29, 2010;		
27	73.To continue the deadline for the disclosure of	rebuttal expert witnesses from December	
28	8 23, 2009, to February 10, 2010;		
	STIPULATION AND [PROPOSED] ORDER TO CONT J:\1427\sf0003\PId\P-stip-cont-disc-2.wpd	INUE PRETRIAL DEADLINES Case No. 3:08-cv-04372 MEJ	

4. To continue the hearing of any dispositive motions from February 25, 2010, at
 10:00 a.m., to March 25, 2010, at 10:00 a.m., or to a date as soon thereafter as may be convenient for the
 Court, with the deadlines for filing moving, opposition and reply papers in accordance with Civil L.R.
 7-2 and 7-3.
 The parties do not request a continuance of the trial date or the remaining pretrial deadlines.

Good cause exists for the requested continuance in that:

7 1. The parties attended a productive early neutral evaluation session in August 2009, after
8 which they exchanged written discovery;

2. The parties had originally scheduled plaintiffs' depositions to take place in November
2009. The depositions did not go forward as scheduled due to the illness of counsel for the City of
Clearlake defendants, and were thus scheduled for December 17 and 18, 2009, as plaintiffs' counsel had
a trial in another matter scheduled for late November 2009. On November 13, 2009, the Court
continued the original discovery and dispositive-motion deadlines by approximately one month, thus
accommodating this change in schedule;

Plaintiff counsel's trial originally scheduled for late November 2009 has been
 unexpectedly delayed so that it will still be taking place as of December 17 and 18, 2009, thus rendering
 plaintiffs' counsel unavailable for the depositions scheduled for those dates;

4. The disclosure of experts and analysis of potential dispositive motions will depend to a
large degree on plaintiffs' deposition testimony;

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1	5. The parties request a continuance only of the discovery and dispositive-motion deadlines	
2	not of the trial date or other pretrial deadlines, and do not anticipate that the approximately one-month	
3	continuance will affect their ability to prepare for trial.	
4	SO STIPULATED.	
5		
6	Dated: December 16, 2009.	
7	LOW, BALL & LYNCH	
8		
9	By <u>s/ Dirk D. Larsen</u> MARK F. HAZELWOOD	
10	DIRK D. LARSEN Attorneys for Defendants	
11	CITY OF CLEARLAKE, ALLAN McLAIN, LEE LAMBERT, JANINE LOWE, SCOTT SPIVEY, CURT GIAMBRUNO, CHUCK	
12	SPIVEY, CURT GIAMBRUNO, CHUCK LEONARD, JUDY THEIN, ROY SIMONS, TODD	
13	MILLER, CARL MILLER, RODD JOSEPH, AND BRETT RHODES	
14		
15	Dated: December 16, 2009.	
16	CLARENCE & DYER LLP	
17		
18	By <u>s/Craig H. Bessenger</u> KATE DYER	
19	CRAIG H. BESSENGER Attorneys for Defendant	
20	PACIFIC GAS & ELECTRIC COMPANY	
21	Dated: December 16, 2009.	
22	-/ Ensen Otanlian Oshurid	
23 24	s/ Frear Stephen Schmid FREAR STEPHEN SCHMID	
24 25	Attorney for Plaintiffs GRANT MEYER AND MARILYN MEYER	
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	-3- STIPULATION AND [PROPOSED] ORDER TO CONTINUE PRETRIAL DEADLINES	
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1	-[PROPOSED] ORDER	
2	Pursuant to the stipulation of the parties herein, and good cause appearing therefor, it is	
3	B HEREBY ORDERED:	
4	1. That the deadline for all discovery be continued from January 11, 2010, to February 25,	
5	2010;	
6	2. That the deadline for the disclosure of expert witnesses be continued from December 16,	
7	7 2009, to January 29, 2010;	
8	3. That the deadline for the disclosure of rebuttal expert witnesses be continued from	
9	9 December 23, 2009, to February 10, 2010;	
10	4. That the hearing of dispositive motions be continued from February 25, 2010, at	
11	10:00 a.m., to March 25, 2010, at 10:00 a.m. /, with the	
12	deadlines for filing moving, opposition and reply papers in accordance with Civil L.R. 7-2 and 7-3.	
13	3 IT IS SO ORDERED.	
14	December 21, 2000	
15	5 Dated:	
16	M	
17	7 HON, MAE A FACNA JAMES	
18	8 UNITED STATES MAGISTRATE JUDGE	
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	STIPULATION AND [PROPOSED] ORDER TO CONTINUE PRETRIAL DEADLINES J:\1427\sf0003\PId\P-stip-cont-disc-2.wpd Case No. 3:08-cv-04372 MI	