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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10  
11 GRANT MEYER AND MARILYN  
MEYER,

12 Plaintiffs,

13 v.

14 CITY OF CLEARLAKE, ALLAN  
15 McCLAIN, LEE LAMBERT, JANINE  
LOWE, SCOTT SPIVEY, CURT  
16 GIAMBRUNO, CHUCK LEONARD,  
JUDY THEIN, ROY SIMONS, TODD  
17 MILLER, CARL MILLER, JOSEPH  
RODD, SARGENT RHODES, PACIFIC  
18 GAS & ELECTRIC COMPANY, AND  
ALL AMERICAN TOWING,

19 Defendants.  
20 \_\_\_\_\_/

No. C-08-4372 MEJ

**STIPULATION TO CONTINUE THE  
SUMMARY JUDGMENT HEARING  
DATE TO APRIL 8, 2010 AND TO  
HAVE THE MATTER SENT TO A  
SETTLEMENT CONFERENCE  
BEFORE A MAGISTRATE JUDGE  
AND ~~PROPOSED~~ ORDER**

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23 The parties, by and through their respective counsel of record, hereby stipulate to  
24 the following:

25 The summary judgment motion in this matter currently scheduled for a hearing  
26 on March 25, 2010, will be continued to April 8, 2010, with the opposition due on March  
27 18, 2010, and a reply due on March 25, 2010. The parties also stipulate to have the  
28 matter sent to a settlement conference before the Honorable Magistrate Judge James

1 Larson on March 12, 2010, at 10:00 AM, in Courtroom F.

2 DATED: March 4, 2010 Respectfully submitted,

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4 /s/ Frear Stephen Schmid  
5 Frear Stephen Schmid, Attorneys for  
6 Plaintiffs GRANT MEYER and  
7 MARILYN MEYER

8 DATED: March 4, 2010 LOW BALL & LYNCH

9  
10 /s/ Mark F. Hazelwood  
11 Mark F. Hazelwood, Attorneys for  
12 Defendants CITY OF CLEARLAKE,  
13 ALLAN McClAIN, LEE LAMBERT,  
14 JANINE LOWE, SCOTT SPIVEY, CURT  
15 GIAMBRUNO, CHUCK LEONARD,  
16 JUDY THEIN, ROY SIMONS, TODD  
17 MILLER, CARL MILLER, RODD  
18 JOSEPH, AND BRETT RHODES

19 **ORDER**

20 Pursuant to the foregoing stipulation between the parties, the summary judgment  
21 in the above matter is re-set for April 8, 2010, at 10:00 AM, with the opposition brief due  
22 on or before March 18, 2010, and the reply due on or before March 25, 2010.

23 Further, this matter is ordered to a settlement conference before the Honorable  
24 Magistrate Judge James Larson on March 12, 2010, at 10:00 AM, in Courtroom F.

25 **IT IS SO ORDERED.**

26 DATED: March 4, 2010

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Honorable Maria-Estela James  
Judge of the United States District Court