

1 DALE L. ALLEN, JR., # 145279
 MARK F. HAZELWOOD, # 136521
 2 DIRK D. LARSEN, # 246028
 LOW, BALL & LYNCH
 3 505 Montgomery Street, 7th Floor
 San Francisco, California 94111-2584
 4 Telephone (415) 981-6630
 Facsimile (415) 982-1634

5 Attorneys for Defendants
 6 CITY OF CLEARLAKE, ALLAN McLAIN,
 LEE LAMBERT, JANINE LOWE, SCOTT SPIVEY,
 7 CURT GIAMBRUNO, CHUCK LEONARD,
 JUDY THEIN, ROY SIMONS, TODD MILLER,
 8 CARL MILLER, RODD JOSEPH, AND BRETT RHODES

9
 10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12

13 GRANT MEYER AND MARILYN MEYER,)

14 Plaintiffs,)

15 vs.)

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

20 Defendants.)
 21

Case No. 3:08-cv-04372 MEJ

) STIPULATION AND
) ~~[PROPOSED]~~ ORDER TO
) CONTINUE SUMMARY
) JUDGMENT HEARING AND
) BRIEFING DEADLINES

22 The parties to the above-captioned matter, by and through their respective counsel, hereby
 23 stipulate to continue the summary-judgment hearing in this matter, currently scheduled for April 8, 2010,
 24 to April 15, 2010, with the opposition due on March 25, 2010, and a reply due April 1, 2010. Good
 25 cause for the requested continuance exists because the parties attended a settlement conference before
 26 the Honorable Magistrate Judge James Larson on March 12, 2010, and, while the case did not settle at

27 ///

28 ///

1 that conference, the parties continue to engage in fruitful settlement negotiations aimed at full resolution
2 of this matter, and this continuance would facilitate the settlement process.

3 SO STIPULATED.

4
5 Dated: March 17, 2010.

6 LOW, BALL & LYNCH

7
8 By s/ Dirk D. Larsen
9 DALE L. ALLEN, JR.
10 MARK F. HAZELWOOD
11 DIRK D. LARSEN
12 Attorneys for Defendants
13 CITY OF CLEARLAKE, ALLAN McLAIN,
14 LEE LAMBERT, JANINE LOWE, SCOTT
15 SPIVEY, CURT GIAMBRUNO, CHUCK
16 LEONARD, JUDY THEIN, ROY SIMONS, TODD
17 MILLER, CARL MILLER, RODD JOSEPH, AND
18 BRETT RHODES

19 Dated: March 17, 2010.

20 By s/ Frear Stephen Schmid
21 FREAR STEPHEN SCHMID
22 Attorney for Plaintiffs
23 GRANT MEYER AND MARILYN MEYER

24 **~~PROPOSED~~ ORDER**

25 Pursuant to the stipulation of the parties herein, and good cause appearing therefor, it is hereby
26 ordered that the summary-judgment hearing in the above matter be continued to April 15, 2010, at
27 10:00 a.m., with the opposition brief due on or before March 25, 2010, and the reply due on or before
28 April 1, 2010.

IT IS SO ORDERED.

29 Dated: March 17, 2010.

30 
31 _____
32 HON. MARIA ELENA JAMES
33 U.S. MAGISTRATE JUDGE