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9 Attorneys for Defendant  
 10 STEPHEN M. RAFFLE, M.D.

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT DISTRICT OF CALIFORNIA

13 CHRISTOPHER YANKE,  
 14 Plaintiff(s),

15 vs.

16 CITY OF OAKLAND, WAYNE TUCKER,  
 17 DEBRA TAYLOR JOHNSON, KENNETH  
 18 PARRIS, STEPHEN RAFFLE, M.D., AND  
 19 DOES 1-10,

20 Defendant(s).

Case No.: C-08-04379 EDL

**STIPULATION AND ORDER TO  
 CONTINUE THE INITIAL CASE  
 MANAGEMENT CONFERENCE, TO  
 CONTINUE THE DEADLINE TO  
 EXCHANGE INITIAL DISCLOSURES  
 AND TO CONTINUE THE ADR  
 CONFERENCE**

Trial Date: NONE

21 Defendant STEPHEN M. RAFFLE, M.D., Defendants CITY OF OAKLAND, WAYNE  
 22 TUCKER, DEBRA TAYLOR JOHNSON AND KENNETH PARRIS (“CITY  
 23 DEFENDANTS”) and Plaintiff CHRISTOPHER YANKE, stipulate, through their respective  
 24 counsels of record, as follows:

- 25 1. To continue the Initial Case Management Conference, currently set for September  
 1, 2009 at 10:00 a.m. to September 22, 2009 at 10:00 a.m.
- 26 2. To continue the deadline to exchange initial disclosures to September 22, 2009.

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1           3.       To continue the ADR Conference currently set for August 12, 2009 at 10:30 a.m.  
2 to September 8, 2009 at 10:30 a.m.

3           4.       Good cause exists for the above requests. On August 10, 2009, the Court  
4 continued the Case Management Conference from August 18, 2009 to September 1, 2009, to  
5 provide the Court with additional time to rule on defendants Motions to Dismiss the Third  
6 Amended Complaint, heard on June 26, 2009 with additional supplemental briefing filed on June  
7 30, 2009.

8           5.       As soon as counsel received notice of the continued Conference to September 1,  
9 2009, all counsel notified one another of existing conflicts which would prevent attendance on  
10 September 1<sup>st</sup> and on the following two Tuesdays, September 8<sup>th</sup> and 15<sup>th</sup>, 2009. The parties  
11 agree to continue the Case Management Conference to September 22, 2009 at 10:00 a.m. so that  
12 all counsel may attend.

13           6.       Having the deadline to complete initial disclosures prior to a ruling from the  
14 Court on defendants' motions to dismiss, which may resolve most or all of the issues raised by  
15 plaintiff's Third Amended Complaint is not efficient and may be a waste of the Court's time and  
16 resources. The parties agree that it in the interest of judicial economy it makes sense to continue  
17 the deadline to complete initial disclosures to September 22, 2009, the date on which the parties  
18 agree to continue the Case Management Conference to.

19           7.       The parties further request that the Court continue the ADR Telephone  
20 Conference to September 8, 2009, a date which is commensurate with the new date of the Initial  
21 Case Management Conference.

22           8.       The parties stipulate that a copy of a signature transmitted by any electronic  
23 means including, but not limited to, facsimile machine and scanned document transmitted via e-  
24 mail will have the same force and effect as an original signature.

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DATED: August 10, 2009

LYNCH, GILARDI & GRUMMER

By  /s/  
Robert T. Lynch  
Claudia Lozano  
Attorneys for Defendant  
STEPHEN M. RAFFLE, M.D.

DATED: August 10, 2009

KNISBACHER LAW OFFICES

By:  /s/  
Alden Knisbacher  
Attorney for Plaintiff CHRISTOPHER YANKE

DATED: August 10, 2009

BERTRAND, FOX & ELLIOT

By  /s/  
Eugene B. Elliot  
Christine Lee  
Michael Wenzel  
Attorneys for Defendants,  
CITY OF OAKLAND, WAYNE  
TUCKER, DEBRA TAYLOR  
JOHNSON AND KENNETH PARRIS

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**ORDER**

GOOD CAUSE APPEARING THEREFORE, the stipulation to continue the Initial Case Management Conference from September 1, 2009 at 10:00 a.m. to September 22, 2009 at 10:00 a.m. is GRANTED.

GOOD CAUSE APPEARING THEREFORE, the stipulation to continue the deadline to exchange initial disclosures to September 22, 2009 is GRANTED.

GOOD CAUSE APPEARING THEREFORE, the stipulation to continue the ADR Conference to September 8, 2009 at 10:30 a.m., a date commensurate with the new date for the Initial Case Management Conference is GRANTED.

DATED: August 12, 2009

THE HONORABLE \_\_\_\_\_ JUDGE ELIZABETH D. LAPORTE



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