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 CITY OF OAKLAND, WAYNE TUCKER  
 12 DEBRA TAYLOR JOHNSON and KENNETH PARRIS

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

15  
 16 CHRISTOPHER YANKE, ) Case No.: C08-04379 EDL  
 17 )  
 Plaintiff, )  
 18 vs. ) **STIPULATION AND ORDER TO**  
 ) **CONTINUE THE INITIAL CASE**  
 ) **MANAGEMENT CONFERENCE AND**  
 19 CITY OF OAKLAND, WAYNE TUCKER, ) **DEADLINE TO EXCHANGE INITIAL**  
 DEBRA TAYLOR JOHNSON; KENNETH ) **DISCLOSURES TO JANUARY 19, 2010**  
 20 PARRIS, STEPHEN RAFFLE, M.D., and DOES ) AS MODIFIED  
 1- 10, )  
 21 Defendants. )  
 22 \_\_\_\_\_ )

23 Defendant CITY OF OAKLAND, WAYNE TUCKER, DEBRA TAYLOR JOHNSON and  
 24 KENNETH PARRIS (“CITY DEFENDANTS”) and Plaintiff CHRISTOPHER YANKE, in light of  
 25 this Court’s Order dated August 20, 2009, hereby stipulate, through their respective counsels of  
 26 record, as follows:

- 27 1. That the Case Management Conference in this matter be continued from November  
 28 17, 2009 to January 19, 2010 at ~~10:00 a.m.~~ <sup>3:00 p.m.</sup>, that a joint Case Management Conference statement be filed

1 no later than January 12, 2010, and that the deadline to exchange initial disclosures is continued until  
2 January 19, 2010.

3 2. Good cause exists for the above request. On August 20, 2009 this Court issued an  
4 order granting defendant Raffle's motion to dismiss and staying the action as to City defendants  
5 based on the pendency of related state court proceedings. In that Order, the Court indicated that if the  
6 state court action was not concluded by that date, the parties could seek a continuance of the  
7 November 17, 2009 Case Management Conference. The California Court of Appeal heard oral  
8 argument on the state court action on October 28, 2009, and no opinion has been issued.

9 3. The parties agree to the above timeline. In addition, there is no prejudice to the parties  
10 or to the Court if an Order is issued continuing the deadline to exchange initial disclosures to the  
11 same date as the date of the Initial Case Management Conference.

12 4. The parties stipulate that a copy of a signature transmitted by any electronic means,  
13 including but not limited to facsimile machine and scanned document transmitted via email will have  
14 the same force and effect as an original signature.

15 SO STIPULATED.

16 Dated: November 12, 2009

17 LAW OFFICES OF ALDEN KNISBACHER

BERTRAND, FOX & ELLIOT

18 /s/ Alden Knishbacher

/s/ Michael C. Wenzel

19 By: \_\_\_\_\_  
20 Alden Knishbacher  
21 Attorney for Plaintiff Christopher Yanke

22 By: \_\_\_\_\_  
23 Eugene B. Elliot  
24 Michael C. Wenzel  
25 Attorneys for Defendants CITY OF  
26 OAKLAND, WAYNE TUCKER,  
27 DEBRA TAYLOR JOHNSON and  
28 KENNETH PARRIS

IT IS SO ORDERED: AS MODIFIED

Dated: November 12, 2009 \_\_\_\_\_

*Elijah D. Lopez*  
\_\_\_\_\_  
United States District Court Judge  
Magistrate