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17 Attorneys for Defendants

18
 19 IN THE UNITED STATES DISTRICT COURT FOR THE
 20
 21 NORTHERN DISTRICT OF CALIFORNIA

22 JOSE BUENROSTRO, SR., et al.,

CASE NO. 009-00786 JSW

23 Plaintiffs,

**24 STIPULATION AND PROPOSED ORDER
 25 EXTENDING EXPERT DISCLOSURE AND
 26 DISCOVERY DEADLINE**

27 VS.

28 CITY OF OAKLAND, et al.

Defendants.

29 The parties to the above captioned litigation hereby stipulate and respectfully request, by and
 30 through their undersigned counsel, that the current expert disclosure deadline of February 2, 2010 and
 31 expert discovery cutoff date of March 4, 2010 be extended to March 2, 2010 and April 20, 2010
 32 respectively. Good cause exists for the requested extension on the following grounds.

1 This action arises from the shooting death of a fourteen year old boy, Jose Buenrostro, Jr., on
2 March 19, 2008, by Oakland police officers. Plaintiffs, the Decedent's parents, sue for violation of
3 civil rights (42 U.S.C. section 1983) on the grounds that the shooting was unreasonable. Defendants
4 City of Oakland and three involved police officers claim that the shooting was justified.

5 The parties have been granted a 30-day extension of time to February 18, 2010 to complete
6 the depositions of certain non-party witnesses. The current expert disclosure date requires the parties
7 to disclose expert reports before they have completed the depositions of lay witnesses, some of whom
8 may have information crucial to the assessment of whether or not the shooting was justified.

9 Therefore, the parties expert reports would not be complete to the extent that the experts will not have
10 had the benefit of reviewing the testimony of all potential fact witnesses.
11

12 Additionally, the parties would like to attempt to settle this matter prior to assuming the costs
13 of expert depositions. Mediation is currently scheduled to take place on March 22, 2010.

14 The requested extension of time would enhance the prospects of settlement by allowing the
15 parties to have the benefit of complete expert reports without having to assume the costs expert
16 depositions prior to mediation. No parties will be prejudiced by the extension. Nor would the pretrial
17 or trial dates set by the court in this action need to be modified.

18
19 Dated: January 28, 2010

LAW OFFICE OF JOHN L. BURRIS

21 /s/ Steven R. Yourke
22 Steven R. Yourke
23 John L. Burris
24 Attorney's for Plaintiffs

25
26 Dated: January 28, 2010

OAKLAND CITY ATTORNEY

27 /s/ Jennifer Logue
28 Jennifer Logue,
Deputy City Attorney
Attorney for All Defendants

ORDER

IT IS HEREBY ORDERED that the parties request to extend the deadline for expert disclosures to March 2, 2010 and the expert discovery cutoff date to April 20, 2010 is GRANTED.

IT IS SO ORDERED.

Dated: January 29, 2010



JUDGE OF THE DISTRICT COURT