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13 Attorneys for Plaintiffs
14 Jose Buenrostro, Sr. and Maria Buenrostro

15 UNITED STATES DISTRICT COURT
16 FOR THE NORTHERN DISTRICT OF CALIFORNIA

17 JOSE BUENROSTRO, SR. INDIVIDUALLY
18 AND AS SUCCESSOR IN INTEREST TO
19 JOSE BUENROSTRO, JR. AND MARIA
20 BUENROSTRO, INDIVIDUALLY AND AS
21 SUCCESSOR IN INTEREST TO JOSE
22 BUENROSTRO, JR. ,

23 PLAINTIFFS,

24 vs.

25 CITY OF OAKLAND, A MUNICIPAL
26 CORPORATION; ET AL.

27 DEFENDANTS.
28

Case No.: 3:09-cv-00786 JSW

REQUEST TO EXTEND THE DEADLINE
FOR DISMISSAL OF ACTION AND
(~~PROPOSED~~) ORDER

On September 1, 2010, the parties filed an Amended Request to Extend the Deadline for Dismissal of Action and (Proposed) Order to extend the deadline for dismissal of the instant matter from September 1, 2010 by 45 days or until October 16, 2010.

(AMENDED) REQUEST TO EXTEND DEADLINE FOR DISMISSAL OF ACTION
Case No.: 3:09-cv-00786 JSW

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1 On September 2, 2010, the Court granted the parties request for a 45 day extension or
2 until October 16 2010, with the provision thereafter the matter will be dismissed in its entirety
3 with prejudice, provided, however, that if any party hereto shall certify to this Court that the
4 agreed consideration for said settlement has not been delivered over, the foregoing Order shall
5 stand vacated and this case shall forthwith be restored to the calendar to be set for trial.

6 On September 21, 2010, the instant matter was heard by the City of Oakland City
7 Council. However, the Council did not approve the settlement.

8 On October 19, 2010, Mr. Randolph Hall, the Chief Assistant City Attorney for the City
9 of Oakland is scheduled to reconvene with the City Council in closed session, to further discuss
10 the City Attorney's recommendation to settle the Buenrostro Matter in the amount agreed upon
11 by the parties at mediation, contingent on approval by the Oakland City Council.

12 In light of the continued efforts to negotiate the approval of the settlement and the matter
13 being heard by the Oakland City Council on October 19, 2010, the parties request a 15 day
14 extension from October 19, 2010 to November 3, 2010, thereafter, the matter will be dismissed
15 in its entirety with prejudice, provided, however, that if any party hereto shall certify to this
16 Court that the agreed consideration for said settlement has not been delivered over, the foregoing
17 Order shall stand vacated and this case shall forthwith be restored to the calendar to be set for
18 trial.

19
20 Dated: October 15, 2010

LAW OFFICES OF JOHN L. BURRIS

21
22 /s/ John L. Burris

23 John L. Burris, Esq.
24 Steven R. Yourke, Esq.
25 Attorneys for Plaintiffs
26
27
28

1 Dated: October 15, 2010

OFFICE OF THE CITY ATTORNEY
CITY OF OAKLAND

4 /s/ Randolph W. Hall

Randolph W. Hall, Esq.
Assistant City Attorney, City of Oakland
Attorney for Defendants

9 Dated: October 18, 2010

RANKIN SPROAT MIRES BEATY &
REYNOLDS

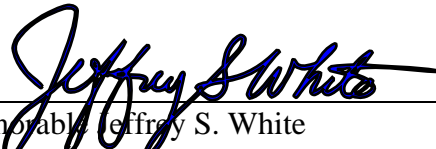
12 /s/ Geoffrey A. Beaty

Geoffrey A. Beaty, Esq.
Attorney for Defendants

16 (~~PROPOSED~~) ORDER

19 GOOD CAUSE APPEARING, the deadline by which the Buenrostro matter is dismissed
20 is extended 15 days beyond October 19, 2010 or until November 3, 2010, thereafter, the matter
21 will be dismissed in its entirety with prejudice, provided, however, that if any party hereto shall
22 certify to this Court that the agreed consideration for said settlement has not been delivered over,
23 the foregoing Order shall stand vacated and this case shall forthwith be restored to the calendar
24 to be set for trial.

27 Dated: October 19, 2010

28 
Honorable Jeffrey S. White
United States District Court