

1 LAW OFFICES OF JOHN BURRIS  
 2 JOHN L. BURRIS, ESQ (SBN 69888)  
 3 STEVEN R. YOURKE (SBN 118506)  
 4 7677 Oakport St., Suite 1120  
 5 Oakland, CA 94621  
 6 Phone: (510) 839-5200  
 7 Fax: (510) 839-3882  
 8 Email: [steven.yourke@johnburrislaw.com](mailto:steven.yourke@johnburrislaw.com)

Attorneys for Plaintiffs

7 UNITED STATES DISTRICT COURT,  
 8 NORTHERN DISTRICT OF CALIFORNIA

11 TIMOTHY MITCHELL, SR., et al.,  
 12 Plaintiffs,  
 13 vs.  
 14 CITY OF PITTSBURG, et al.  
 15 Defendants.

CASE NO.: CV 09 - 0794 SI

**STIPULATION TO CONTINUE  
 SETTLEMENT CONFERENCE &  
 EXTEND TIME FOR EXPERT  
 DISLOURE PER RULE 26 &  
 PROPOSED ORDER**

---

17 The parties to this action by and through their respective counsel do hereby  
 18 stipulate that the settlement conference presently scheduled for May 3, 2010 be taken  
 19 off calendar and that the deadline for disclosure of expert witnesses be extended 60  
 20 days, from April 30, 2010 until June 30, 2010.

21 Good cause exists for taking the settlement conference off calendar and for  
 22 extending the time for disclosing experts, to wit, Plaintiff intends to move the Court to  
 23 be allowed to add two new defendants. Defendants will not oppose plaintiff's motion  
 24 to amend the complaint to add such new defendants. Settlement of this action will not  
 25 be feasible until all defendants are before the Court. The deadline for disclosing  
 26 expert witnesses is presently set for April 30, 2010. Such deadline should be extended  
 27  
 28

1 for 60 days in order to allow the parties to depose the anticipated new defendants  
2 before disclosing experts.

3 Respectfully submitted,

LAW OFFICE OF JOHN BURRIS

4

5

6

\_\_\_\_\_  
Steven R. Yourke, Esq.  
Attorney for all plaintiffs

7

8

EDRINGTON, SCHIRNER & MURPHY

9

10

11

\_\_\_\_\_  
JAMES MARZAN  
Attorney for all Defendants.

12

13

14

**IT IS SO ORDERED.**

15

16

The settlement conference presently set in this action for May 3, 2010 is hereby  
cancelled.

17


18

19

The deadline for disclosure of expert witnesses pursuant to Rule 26 of the  
Federal Rules of Civil Procedure is hereby extended until June 30, 2010.

20

21



22

\_\_\_\_\_  
Hon. Susan Illston,  
United States District Court

23

24

25

26

27

28