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16 UNITED STATES DISTRICT COURT
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 18 NORTHERN DISTRICT OF CALIFORNIA

19 MATTHEW P. TONSING,
 20 Petitioner and Plaintiff,
 21 vs.
 22 CITY AND COUNTY OF SAN
 FRANCISCO, SAN FRANCISCO POLICE
 23 COMMISSION, and SAN FRANCISCO
 POLICE DEPARTMENT,
 24 Respondents and Defendants.

Case No. C09-1446 CW

**STIPULATION AND ORDER MODIFYING
 ADR, DISCOVERY AND DISPOSITIVE
 MOTION CUT-OFF DATES AS MODIFIED**

Trial Date: 1/10/2011

1 WHEREAS, the Court has not yet ruled on Defendant's Motion to Dismiss (Rule 12c), heard
2 September 17, 2009; and

3 WHEREAS, the last day to complete Alternative Dispute Resolution Procedures in this matter
4 is November 19, 2009 and the parties believe that it would be efficacious to mediate the case prior to
5 conducting discovery but subsequent to receiving the court's ruling on Defendant's motion; and

6 WHEREAS, the existing cut-off dates would not allow the parties to do so;

7 THEREFORE the parties stipulate to modify the Case Management Order as follows:

8 a) extend the ADR cut off from November 19, 2009 to January 19, 2010;

9 b) extend the cut-off for completion of fact discovery from December 15, 2009 to April 15,
10 2010;

11 c) extend the cut-off for Plaintiff to file a motion for summary judgment from January 28,
12 2010 to June 3, 2010;

13 d) extend the cut-off for Defendant to file a motion for summary judgment from February 4,
14 2010 to June 10, 2010;

15 e) extend the cut-off for hearing dispositive motions to July 15, 2010;

16 f) extend the cut-off for the parties to file an updated case management statement from April
17 13, 2010 to August 10, 2010;

18 g) extend the cut-off for disclosure of experts and expert reports from May 3, 2010 to May 24,
19 2010;

20 h) extend the cut-off for designating rebuttal experts and disclosing supplemental expert
21 reports from May 24, 2010 to June 14, 2010;

22 i) extend the cut-off for completion of expert discovery from June 24, 2010 to July 15, 2010;

23 j) extend the date for the next Case Management Conference from April 27, 2010 to August
24 24, 2010 at 2:00 p.m.

1 The remaining deadlines, including the trial date and all related pre-trial deadlines shall
2 remain as set.

3 **IT IS SO STIPULATED**

4 Dated: November 17, 2009

Respectfully submitted,

5 DENNIS J. HERRERA
6 City Attorney
7 ELIZABETH S. SALVESON
8 Chief Labor Attorney
9 LAWRENCE HECIMOVICH
10 Deputy City Attorney


11 By: /s/Lawrence Hecimovich
12 LAWRENCE HECIMOVICH
13 Attorneys for Defendants

14 Dated: November 17, 2009

15 By: /s/Daniel M. Crawford
16 Attorneys for Plaintiff / Petitioner

17 **IT IS SO ORDERED, EXCEPT IF PLAINTIFF DOES NOT FILE A MOTION FOR**
18 **SUMMARY JUDGMENT, THE DATE FOR DEFENDANTS TO FILE A MOTION FOR**
19 **SUMMARY JUDGMENT IS EXTENDED TO JUNE 10, 2010; OTHERWISE, DEFENDANTS**
20 **SHALL INCLUDE IN THEIR OPPOSITION ANY CROSS-MOTION FOR SUMMARY**
21 **JUDGMENT. THE CASE MANAGEMENT CONFERENCE IS CONTINUED TO JULY 15,**
22 **2010, AT 2:00 P.M.; THE CASE MANAGEMENT STATEMENT IS DUE JULY 1, 2010.**

23 Dated: 11/17/09

24 
25 Honorable Claudia Wilken
26 Judge of the District Court