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 17 UNITED STATES DISTRICT COURT
 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.
 25

Case No. C09-1446 CW

**STIPULATION AND ~~PROPOSED~~ ORDER
 MODIFYING ADR CUT-OFF DATE**

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 January 19, 2010 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 Extend the ADR cut off from January 19, 2010 to March 19, 2010;

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

11 **IT IS SO STIPULATED**

12 Dated: January 13, 2010

13 Respectfully submitted,

14 DENNIS J. HERRERA
15 City Attorney
16 ELIZABETH S. SALVESON
17 Chief Labor Attorney
18 LAWRENCE HECIMOVICH
19 Deputy City Attorney

20 By: /s/Lawrence Hecimovich
21 LAWRENCE HECIMOVICH
22 Attorneys for Defendants

23 Dated: January 13, 2010

24 By: /s/Daniel M. Crawford
25 Attorneys for Plaintiff / Petitioner

26 **IT IS SO ORDERED**

27 1/22/10

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Honorable Claudia Wilken
Judge of the District Court