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CITY OF OAKLAND
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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12 EDWARD J. PROUDFOOT AND
MICHELLE MILLIORN
13

14 Plaintiffs,

15 v.

16 CITY OF OAKLAND AND COUNTY OF
ALAMEDA, ET AL.

17 Defendants.
18

Case No. C09-01492 WHA

**STIPULATION AND ORDER TO
CONTINUE DATE TO FILE
RESPONSIVE PLEADING**

19
20 The parties to the above captioned litigation hereby stipulate, by and through their
21 undersigned counsel of record, to continue the date for Defendants City of Oakland and
22 Alameda County to file responsive pleadings in this case from June 30, 2009 to July 7,
23 2009.

24 The reason for this stipulation is the parties are currently negotiating on the filing of
25 a First Amended Complaint in this matter in order to avoid defendants filing a Motion to
26 Dismiss pursuant to F.R.C.P. Rule 12(b)(6). The parties had previously stipulated to a

1 continuance of this date and continue to negotiate on the possible filing of an amended
2 complaint in order to avoid defendants filing a Motion to Dismiss.

3 DATED: JUNE 26, 2009

4 JOHN A. RUSSO, City Attorney
5 RANDOLPH W. HALL, Assistant City Attorney
6 JAMES F. HODGKINS, Supervising Trial Attorney
7 CHARLES E. VOSE, Senior Deputy City Attorney

8 By: _____/s/
9 Attorneys for Defendant
10 CITY OF OAKLAND

11 DATED: JUNE 26, 2009

12 DAVID J. BEAUVAIS, ESQ.

13 By: _____/s/
14 Attorney for Plaintiffs
15 EDWARD PROUDFOOT and
16 MICHELLE MILLIORN

17 DATED: JUNE 26, 2009

18 RANDY ANDRADA, ESQ.
19 ANDRADA & ASSOCIATES

20 By: _____/s/
21 Attorney for Defendant
22 ALAMEDA COUNTY
23
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25
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ORDER

Pursuant to stipulation of the parties and good cause appearing therefore, it is hereby ordered that the date for Defendants City of Oakland and Alameda County to file responsive pleadings in this case is continued from June 29, 2009 to July 7, 2009.

IT IS SO ORDERED.

Dated: June 30, 2009

WILLIAM ALSUP
U.S. District Court Judge

