

1 **Wayne Johnson, SBN: 112588**
2 **Attorney At Law**
3 **P.O. Box 19157**
4 **Oakland, CA 94619**
5 **(510) 451-1166**

6 **Darryl Parker, SBN 95914**
7 **Premier Law Group**
8 **3131 Elliott Avenue, Suite 710**
9 **Seattle, Washington 98121**
10 **Telephone: (206) 285-1743**
11 **Facsimile: (206) 599-6316**
12 **Email: dparker@plg-pllc.com**

13 **Attorney for Plaintiffs, Novender Fleming and Victor Jones**

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**

16 **VICTOR JONES AND NOVENDER FLEMING, NO: 09-CV-01613 BZ ; 09-CV-4757 BZ**

17 **PLAINTIFF,**

18 **STIPULATION AND ~~PROPOSED~~ ORDER**
19 **EXTENDING TIME TO FILE**
20 **MOTION FOR ATTORNEYS' FEES**

21 **v.**

22 **NADIA CLARK, ET AL.,**
23 _____/

24 **THE PARTIES STIPULATE AND REPRESENT THAT: They have reached settlement of**
25 **attorney fees, which is the only remaining issue to be resolved in the above captioned matter.**

26 **The Charter for the City of Oakland requires city council approval of the settlement.**

27 **THE PARTIES FURTHER STIPULATE AND REPRESENT THAT: The City Attorney will**
28 **recommend the settlement to the Oakland City Council in closed session on May 3, 2011.**

If the city council approves the recommended settlement in closed session, the matter will be placed

STIPULATION AND ORDER EXTENDING TIME FILE MOTION FOR ATTORNEYS' FEES

1 on the May 17, 2011 consent calendar for final approval. Approximately two days after final
2 approval by the city council, the city clerk will certify and record the resolution authorizing
3 settlement. The Oakland City Attorney will request the City of Oakland Finance Office to expedite
4 processing of the payment and anticipates that payment will issue not more than ten (10) working
5 days after the city clerk records the resolution approving the settlement.
6

7
8 The parties are mindful that this is the fourth request for an extension of time to file the motion for
9 attorney fees. The matter will be scheduled for the May 3, 2011 closed session, at which time the city
10 attorney will recommend that the council approve the settlement reached by the parties. The parties
11 respectfully request the court to vacate the May 2, 2011 date by which time Plaintiffs' Motion of
12 Attorney Fees was required to be filed and extend to July 1, 2011 the date by which Plaintiff must file
13 a Motion for Attorney Fees.
14

15
16 The parties believe that if the Oakland City Council approves the settlement as recommended by the
17 city attorney, that all issues in this matter will be resolved by mid-June. The parties respectfully
18 request that Plaintiffs be granted an extension of time up to July 1, 2011, to file a Motion for
19 Attorney Fees if the recommended settlement is not approved.
20

21 \\\

22 IT IS SO STIPULATED

23 Dated: April 12, 2011

24 /S/
25 Wayne Johnson, Attorney for Plaintiffs

26 Dated: April 12, 2011

27 /S/
28 Randolph W. Hall, Chief Assistant City Attorney

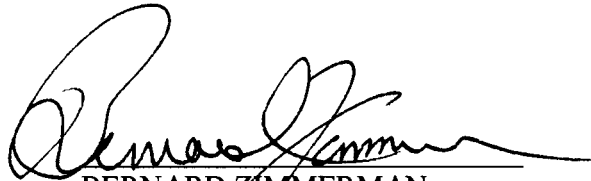
ORDER

STIPULATION AND ORDER EXTENDING TIME FILE MOTION FOR ATTORNEYS' FEES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Pursuant to the stipulation of the parties and good cause appearing therefore, IT IS
HEREBY ORDERED that the date by which Plaintiffs must file a Motion for Attorney Fees
pursuant to Title 42 U.S.C. § 1988 is July 1, 2011.

Dated: 18 Apr 11


BERNARD ZIMMERMAN
UNITED STATES DISTRICT COURT
MAGISTRATE JUDGE