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9 Attorneys for Defendants  
 CITY OF FREMONT and JEREMY MISKELLA

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA

|                                      |   |   |
|--------------------------------------|---|---|
| 14 JENNA HALL,                       | ) | Case No.: CV09-1629 JL                  |
|                                      | ) |   |
| 15 Plaintiff,                        | ) | <b>STIPULATION AND [PROPOSED] ORDER</b> |
| 16 vs.                               | ) | <b>CONTINUING CASE MANAGEMENT</b>       |
|                                      | ) | <b>CONFERENCE</b>                       |
| 17 CITY OF FREMONT; JEREMY MISKELLA; | ) |   |
| and DOES 1 through 50,               | ) |   |
|                                      | ) |   |
| 18 Defendants.                       | ) |   |
|                                      | ) |   |
|                                      | ) |   |
|                                      | ) |   |
|                                      | ) |   |

21 It is hereby stipulated by and between the parties, plaintiff JENNA HALL and defendants  
 22 CITY OF FREMONT and JEREMY MISKELLA, by and through their attorneys of record, for an  
 23 order continuing the Case Management Conference now scheduled for February 3 2010 and related  
 24 Rule 26 disclosure requirements and preparation and filing of a joint cmc statement until after the  
 25 completion of Mediation which is still pending at this time. The Notice of Appointment of Mediator  
 26 was filed October 30, 2009. James V. Fitzgerald has been appointed Mediator. Because of  
 27 scheduling conflicts, the initial joint phone conference was not completed until December 15, 2009;  
 28 and because of the holiday season and trial schedules of the parties and mediator in December and

1 January, the Mediation has now been scheduled for February 17, 2010. Given plaintiff complains  
2 she was wrongfully detained for approximately six (6) hours for a mental health evaluation, both  
3 parties believe the case should be managed in the most cost effective manner and thus it would  
4 benefit all parties and the Court to defer further formal legal proceedings including the cmc and Rule  
5 26 disclosures until after the Mediation. The parties therefore respectfully request (1) that the time  
6 for mediation be continued until February 26, 2010; (2) the cmc be continued to 10:30 am on  
7 Wednesday March 10, 2010 or at the Court's convenience; and (3) a joint case management  
8 conference statement to be filed and Rule 26 disclosures completed on or before March 3, 2010.

9 Respectfully submitted,

10 Dated: December 22, 2009

\_\_\_\_\_/s/  
John K. Crowley, Counsel for Plaintiff

12 Dated: December 23, 2009

\_\_\_\_\_/s/  
Gregory M. Fox  
Counsel for Defendants, CITY OF FREMONT  
and JEREMY MISKELLA

15 **ATTORNEY ATTESTATION**

16 I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
17 "conformed" signature (/s/) within this E-filed document.

18 Dated: December 23, 2009

By: \_\_\_\_\_/s/  
Gregory M. Fox

20 **ORDER**

21 PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT: The time for  
22 mediation of the case is continued until February 26, 2010. The Case Management Conference is  
23 continued until March 10, 2010 and related joint status conference statement and Rule 26 disclosure  
24 requirements continued to March 3, 2010. . If the case resolves the parties are to notify the Court in  
25 writing of the disposition.

27 Dated: \_\_\_\_\_, 2009

  
\_\_\_\_\_  
JAMES LARSON  
Chief Magistrate Judge