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6 Attorneys for Defendant CASTRO VALLEY UNIFIED SCHOOL DISTRICT

7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA  
9

10 ROMEO V. APOSTOL,  
11 Plaintiff,

CASE NO.: C 09-02676 JSW

12 vs.

STIPULATION AND ~~PROPOSED~~  
ORDER REQUESTING CONTINUANCE OF  
CASE MANAGEMENT CONFERENCE

13 CASTRO VALLEY UNIFIED SCHOOL  
14 DISTRICT, et al.,  
15 Defendants.

TRIAL DATE: JANUARY 9, 2012

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18 The parties, by and through their respective counsel, hereby stipulate to continue the Case  
19 Management Conference in the above-captioned matter for the following reasons:

20 1. Nancy A. McPherson is the attorney who has been assigned the handling of this  
21 case since early 2010. Due to a death in her family, Ms. McPherson has been out of town on the  
22 East Coast since June 3, 2011 and is not expected to return until June 10, 2011, the current hearing  
23 date for the Case Management Conference.

24 2. Trial in this matter is set for January 9, 2012. There will be no prejudice to either  
25 party or to the Court should the Case Management Conference be continued.

26 3. In order to have a meaningful Conference, it is agreed between parties that the Case  
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1 Management Conference, currently scheduled for June 10, 2011 be continued to June 24, 2011.

2 4. It is further stipulated and agreed upon that the expert discovery deadline be  
3 continued from June 15, 2011 to June 24, 2011, in order to complete two depositions of  
4 individuals that defendants have purportedly -disclosed as experts in this case. It is recognized by  
5 defense counsel that there is an ongoing dispute as to the sufficiency of that disclosure. Again, this  
6 short extension is necessary due to the unavailability of Ms. McPherson due to the family  
7 emergency and calendaring issues relating to plaintiff's scheduling of the defense experts'  
8 depositions.

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10 DATED: June 8, 2011

EDRINGTON, SCHIRMER & MURPHY LLP

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12 By \_\_\_\_\_/s/  
13 Dolores M. Donohoe  
14 Attorney for Defendant,  
15 CASTRO VALLEY UNIFIED SCHOOL  
16 DISTRICT

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16 DATED: June 8, 2011

SIDLEY AUSTIN LLP

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18 By \_\_\_\_\_/s/  
19 Aseem Gupta, Esq.  
20 Attorneys for Plaintiff  
21 ROMEO V. APOSTOL

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21 DATED: June 8, 2011

DEWEY & LeBOEUF LLP

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23 By \_\_\_\_\_/s/  
24 Brian A.E. Smith, Esq.  
25 Alden Lee, Esq.  
26 Attorneys for Plaintiff  
27 ROMEO V. APOSTOL

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**CERTIFICATION BY DOLORES M. DONOHOE PURSUANT TO GENERAL RULE NO. 45, SECTION X, RE E-FILING ON BEHALF OF MULTIPLE SIGNATORIES**

1. I am an attorney licensed to practice law in the State of California, and am an attorney in the law firm of Edrington Schirmer & Murphy, counsel for Defendant CASTRO VALLEY UNIFIED SCHOOL DISTRICT. The statements herein are made on my personal knowledge, and if called as a witness, I could and would testify thereto.

2. The above e-filed document contains multiple signatures. I declare that concurrence has been obtained from each of the other signatories to file this jointly prepared document with the Court. Pursuant to General Rule No. 45, I shall maintain records to support this concurrence for subsequent production for the Court if so ordered, or for inspection upon request by a party until one year after final resolution of this action (including appeal, if any).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct on this 8<sup>th</sup> day of June, 2011.

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/s/  
DOLORES M. DONOHOE

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**ORDER**

Good cause appearing, and in accordance with the foregoing stipulation, IT IS HEREBY ORDERED that the Case Management Conference of June 10, 2011 be continued to June 24, 2011.

It is further ordered that deadline to complete expert discovery is continued to June 24, 2011.

DATED: June 9, 2011

By  \_\_\_\_\_  
JUDGE JEFFREY S. WHITE