

1 Herman Franck, Esq. (SBN. 123476)  
 2 Elizabeth Vogel, Esq. (SBN. 245772)  
**FRANCK & ASSOCIATES**  
 3 1801 7th Street, Suite 150  
 Sacramento, California 95814  
 4 Telephone (916) 447-8400  
 Facsimile (916) 447-0720  
 5 Email: [franckhermanlaw88@yahoo.com](mailto:franckhermanlaw88@yahoo.com)

6 Attorney for Plaintiff,  
 7 THOMAS BOWER

8  
 9 UNITED STATES DISTRICT COURT FOR THE  
 NORTHERN DISTRICT OF CALIFORNIA

10  
 11  
 12 THOMAS BOWER,

Case No. CV-09-3507 EMC

13 Plaintiff,

14 vs.

**STIPULATION FOR ORDER  
 EXTENDING ENE COMPLETION DATE  
 AND FEBRUARY 26, 2010 STATUS  
 CONFERENCE; ORDER THEREON**

15  
 16 CITY AND COUNTY OF SAN  
 17 FRANCISCO,

18 Defendant.

19  
 20  
 21 The parties hereby STIPULATE that the Court may issue the following ORDER.

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

**I.  
CIRCUMSTANCES**

At the initial scheduling conference in this matter, the case was assigned to the Court's Early Neutral Evaluation (ENE) procedure. The Court issued an ENE completion date of April 9, 2010, and scheduled a further Case Management Conference for February 26, 2010. During January 2010, the Court's ADR office located a suitable ENE Neutral, Robert Fries, Esq., of San Francisco, California. There was a bit of a delay in this process owing in the difficulty in finding an appropriate match for this case.

On February 12, 2010, the parties conducted a scheduling conference with ENE neutral, Mr. Fries. As a result of that scheduling conference, the following ENE date was agreed upon and set:

Date: April 22, 2010

Time: 1:00 p.m.

Location: Office of Robert Fries

44 Montgomery Street, Suite 2500

San Francisco, CA 94108

27  
28  
29  
30  
31  
32  
33  
34  
35  
36

**II.  
STIPULATION**

In light of this schedule, the parties request that the Court extend the ENE completion date to April 22, 2010, and reschedule a status conference to April 30, 2010 at 8:30 a.m. in Courtroom 8, or to such other date as the Court deems appropriate.

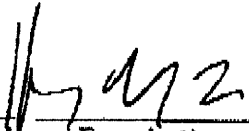
1 SO STIPULATED:

2

3 FRANCK & ASSOCIATES

4

5



Date: February 17, 2010

6

Herman Franck, Esq.

Attorney for Plaintiff

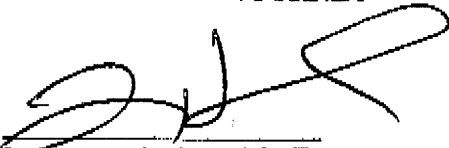
7

Thomas Bower

8

9 DEPUTY CITY ATTORNEY

10



Date: February 18, 2010

11

Lawrence Hocimovich, Esq.

Attorney for Defendant

12

City and County of San Francisco

13

14

15

16

17

18

19

20

21

22

23

24

25

26

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

**III.**  
**ORDER BASED ON STIPULATION**

The Court hereby ACCEPTS the forgoing STIPULATION, and hereby ORDERS as follows:

1. The Court hereby sets an ENE completion date of April 22, 2010.
2. The Court hereby VACATES the February 26, 2010 status conference; and
3. The Court hereby sets a new status conference for April 30, 2010 at 8:30 a.m. in Courtroom 8.

SO ORDERED:

Feb. 26, 2010  
Hon. Charles E. Breyer  
United States District Court Judge

