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 CITY AND COUNTY OF SAN FRANCISCO
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11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

13 TERESA SHEEHAN,
 14 Plaintiff,

Case No. C09-03889 CRB

15 vs.

**AMENDED JOINT ADMINISTRATIVE
 MOTION TO CONTINUE TRIAL DATE AND
 MODIFY PRE-TRIAL CONFERENCE ORDER**

16 CITY AND COUNTY OF SAN
 FRANCISCO, a municipal corporation;
 17 HEATHER FONG, in her capacity as Chief of
 Police for the CITY AND COUNTY OF SAN
 18 FRANCISCO; KIMBERLY REYNOLDS,
 individually, and in her capacity as a police
 19 officer for the CITY AND COUNTY OF SAN
 FRANCISCO; KATHERINE HOLDER,
 20 individually and in her capacity as a police
 officer for the CITY AND COUNTY OF SAN
 21 FRANCISCO; and, San Francisco police
 officers DOES 1-25, inclusive,
 22 Defendants.
 23

No hearing date set pursuant to Local Rule 7-11

Trial Date: November 29, 2010

25 **INTRODUCTION**

26 This motion amends the administrative motion filed yesterday which contained erroneous dates
 27 for the closure of fact discovery and expert disclosure. All parties to this action are jointly requesting
 28 that the trial date of this matter be continued from November 29, 2010 to April 25, 2011 to allow for,

1 among other things, the paternity leave of Defendants' attorney, Blake Loeb, which will expire on
2 February 11, 2011. The parties have previously made a motion to continue this matter to June 2011,
3 which was denied. In denying the motion, the Court, however, informed Defendants that it would
4 entertain a more modest request. After extensive meeting and conferring and successfully continuing
5 the trial of another matter to allow room for this trial, the parties respectfully request that the trial of
6 this matter be continued to April 25, 2011.

7 **PROCEDURAL HISTORY/REQUEST**

8 On or about May 17, 2010, all parties in this matter jointly requested that the trial date be
9 moved from November 29, 2010 to June 2011. We made this request for a variety of reasons, which
10 included the fact that the trial had been set to occur within six months of the initial CMC, the parties
11 have not been able to conduct the extensive discovery necessary to prepare this case for trial and that
12 Defendants' attorney is expecting his first child in October and will be out on paternity leave until
13 February 11, 2010.¹ (Loeb Decl. ¶2.)

14 On May 2, 2010, at a CMC on a different matter, the Court informed Defendants that it was
15 going to deny the request to continue the trial in *Sheehan* because the parties were asking for too much
16 additional time, but that because of Defendants attorney's paternity leave it would entertain a more
17 modest request. Shortly after the May 2, 2010 CMC, the Court formally denied the parties' request to
18 continue the trial to June 2010. (Loeb Decl. ¶3.)

19 At the Court's invitation, both parties are now jointly requesting that the trial date be moved to
20 April 25, 2011. It has been exceptionally difficult for the parties to find any time before June in which
21 Plaintiff's counsel could try this case because of his busy trial calendar. After extensive meeting and
22 conferring and with the cooperation of the attorney in another matter, Plaintiff's counsel recently
23 persuade a federal judge in a different matter to move a trial that had been previously scheduled for
24 April 25, 2011 to accommodate a continuance in this matter. (Nisenbaum Decl. ¶2; Loeb Decl. ¶4.)
25
26

27 ¹ The City and County of San Francisco has a three month paternity leave policy. Mr. Loeb,
28 however, is in the process of determining whether he will be able take a fourth month. If successful,
his leave would expire February 11, 2010. (Loeb Decl. ¶2.)

1 The parties also propose the following pre-trial schedule:

2 Close of Fact Discovery: October 8, 2010
3 Expert Disclosure: December 19, 2010
4 Deadline to Notice Dispositive Motion: January 20, 2011
5 Deadline for Hearing Dispositive Motions: February 25, 2011
6 Rebuttal Expert Disclosure: January 20, 2011
7 Close of Expert Discovery: February 18, 2011
8 Pretrial conference: March 25, 2011
9 Trial: April, 25, 2011

10 Dated: June 24, 2010

11 DENNIS J. HERRERA
12 City Attorney
13 JOANNE HOEPER
14 Chief Trial Deputy
15 BLAKE P. LOEBS
16 Chief of Civil Rights Litigation

17 By: /s/ Blake P. Loeb
18 BLAKE P. LOEBS
19 Attorneys for Defendants
20 CITY AND COUNTY OF SAN FRANCISCO

21 Dated: June 24, 2010

22 LAW OFFICES OF JOHN L. BURRIS

23 By: /s/ Benjamin Nisenbaum
24 BENJAMIN NISENBAUM
25 Attorneys for Plaintiff
26 TERESA SHEEHAN

27 Pursuant to General Order 45, §X.B., the filer of this
28 document attests that he has received the concurrence of
this signatory to file this document.

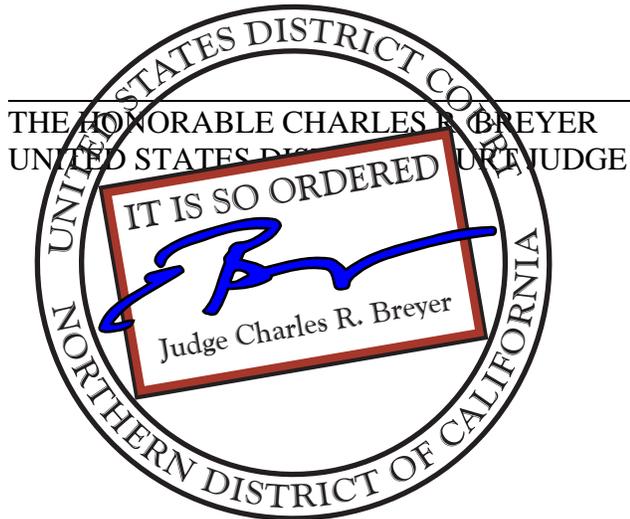
PROPOSED ORDER

Pursuant to the parties' joint administrative motion, the Court finds good cause to modify its Pre-Trial Conference Order. All dates in this action previously set are hereby vacated. The Court orders the following deadlines and trial date in this action:

- Close of Fact: October 8, 2010
- Expert Disclosure: December 19, 2010
- Deadline to Notice Dispositive Motion: January 20, 2011
- Deadline for Hearing Dispositive Motions: February 25, 2011
- Rebuttal Expert Disclosure: January 20, 2011
- Close of Expert Discovery: February 18, 2011
- Pretrial conference: March 25, 2011
- Trial: April, 25, 2011

IT IS SO ORDERED.

Dated: June 25, 2010



THE HONORABLE CHARLES R. BREYER
UNITED STATES DISTRICT COURT JUDGE