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10 Attorneys for Defendant CITY OF FREMONT

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13

14 MARK OTTOVICH,
 15 Plaintiff,
 16 vs.
 17 CITY OF FREMONT, et al.,
 18 Defendants.

Case No.: CV09-4181 MMC

**STIPULATION AND [PROPOSED] ORDER
 TO CONTINUE CASE MANAGEMENT
 CONFERENCE**

AND ORDER THEREON

19
 20 IT IS HEREBY STIPULATED by the parties hereto, defendant CITY OF FREMONT and
 21 plaintiff MARK OTTOVICH, by and through their attorneys of record, that the initial Case
 22 Management Conference be continued from its current date of April 30, 2010 to the date of May 7,
 23 2010 at 10:30 a.m., with the dates for submission of the joint Case Management Conference
 24 Statement and Rule 26 disclosures to be adjusted accordingly. Good cause exists for this continuance
 25 in that defendant's counsel, Gregory Fox, has a motion for summary judgment set in Contra Costa
 26 County Superior Court for the morning of the April 30, 2010 that includes multiple parties in a
 27 different matter, *Sanchez v City of Antioch*.

28 Said motion was specially set by the Contra Costa County Superior Court on its own motion.

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Dated: February 28, 2010

BERTRAND, FOX & ELLIOT

By: _____
Gregory M. Fox
Arlene C. Helfrich
Attorneys for Defendant CITY OF FREMONT

Dated: February 22, 2010

By: _____
Craig H. Mar
Attorney for Plaintiff MARK OTTOVICH

ATTORNEY ATTESTATION

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

Dated: February 28, 2010

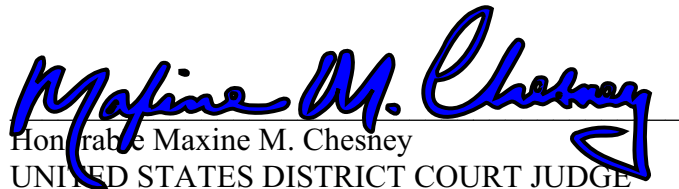
/s/
Gregory M. Fox

ORDER

Good cause appearing,

THE STIPULATION IS SO ORDERED.

Dated: March 9, 2010


Honorable Maxine M. Chesney
UNITED STATES DISTRICT COURT JUDGE