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10	Attorneys for Defendant CITY OF FREMONT	
11	UNITED STATES DISTRICT COURT	
12	NORTHERN DISTRICT OF CALIFORNIA	
13	MARK OTTOVICH, HARVEY	Case No: CV 09-4181 MMC
14	OTTOVICH, individuals,	STIPULATION OF THE PARTIES TO
15	Plaintiffs,	CONTINUE FEBRUARY 24, 2011
16	V.	SETTLEMENT CONFERENCE TO ALLOW TIME FOR NEW COUNSEL
17	CITY OF FREMONT POLICE	FOR PLAINTIFF; [PROPOSED] ORDER
18	OFFICERS, RICARDO CORTES AS	ONDER
19 20	DOE 1, SARGEANT HEININGE AS DOE 2, OFFICER SETTLE AS DOE 3,	
20	OFFICER DANG AS DOE 4, OFFICER FARMER AS DOE 5, VETERANS	
21	ADMINISTRATION PALO ALTO	
22	HEALTH CARE SYSTEM AS DOE 6, VETERANS ADMINISTRATION PALO	
24	ALTO HEALTH CARE SYSTEM EMPLOYEE JOANIE DROBRICK	
25	PATIENT ADVOCATE AS DOE 7,	
26	DOES 8 THROUGH 25.	
27	Defendants.	
28		
	STIPULATION OF PARTIES TO CONTINUE FEBRUARY 24, 2011 SETTLEMENT CONFERENCE; [PROPOSED] ORDER	
	Page 1 of 3	

1. On or about January 17, 2011 attorney Norman Newhouse substituted in as attorney of record for Mark Ottovich in the above captioned action.

2. On or about January 20, 2011 the Hon. Maxine Chesney, District Court Judge, struck Newhouse's substitution of attorney. Newhouse had not yet filed a petition with the Clerk of Court seeking reinstatement. Judge Chesney also ordered that Craig Mar was to remain as Mark Ottovich's attorney.

3. On or about January 20, 2011, Newhouse submitted to the Clerk of Court his petition seeking reinstatement. Newhouse has not yet received a response to his petition from the Clerk of Court.

4. The parties request that the settlement conference scheduled for 9:30 AM,
February 24, 2011 before Magistrate Judge Elizabeth Laporte be continued to a later date when
Mark Ottovich is represented by an attorney of his choice. This would allow the new attorney
for Mr. Ottovich to be fully prepared and avoid any unnecessary waste of time for the parties and
the Magistrate Judge.

5. The parties agree that they will contact by joint letter Magistrate Judge Laporte following Judge Chesney's order on Newhouse's petition for reinstatement to inform her about the decision and status of new counsel for Mr. Ottovich. The parties will effile the joint letter within 7 days of receipt of the decision on the Petition for Reinstatement. The parties will also meet and confer about a mutually convenient date and time for the new settlement conference and will so inform Magistrate Judge Laporte and cooperate fully with the Court on rescheduling the settlement conference.

SO STIPULATED:

Date: February 18, 2011

/s/ Craig Mar, Attorney for Plaintiff Mark Ottovich

STIPULATION OF PARTIES TO CONTINUE FEBRUARY 24, 2011 SETTLEMENT CONFERENCE; [PROPOSED] ORDER

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1		
2	Date: February 18, 2011	
3	/8/	
4	Gregory Fox, Attorney for Defendants	
5		
6	ATTORNEY ATTESTATION	
7	I hereby attest that I have authorization from Mr. Mar to efile this stipulation and	
8	proposed order and this authority is reflected by conformed signature ("/s/") within this E-filed	
9	document.	
10		
11	Dated: February 18, 2011 /s/ Gregory M. Fox	
12		
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14		
15		
16	GOOD CAUSE APPEARING THE STIPULATION IS SO ORDERED.	
17		
18	Date: February <u>18</u> , 2011	
19	Elizabeth Laporte	
20	United States Magistrate Judge	
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22 23		
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	STIPULATION OF PARTIES TO CONTINUE FEBRUARY 24, 2011 SETTLEMENT CONFERENCE; [PROPOSED] ORDER	
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