

1 JEFFER MANGELS BUTLER & MITCHELL LLP  
 BENJAMIN M. REZNIK (Bar No. 72364)  
 2 *bmr@jmbm.com*  
 MATTHEW D. HINKS (Bar No. 200750)  
 3 *mhinks@jmbm.com*  
 AMY LERNER HILL (Bar No. 216288)  
 4 *akl@jmbm.com*  
 1900 Avenue of the Stars, Seventh Floor  
 5 Los Angeles, California 90067-4308  
 Telephone: (310) 203-8080  
 6 Facsimile: (310) 203-0567

7 Attorneys for Plaintiff CONTEST PROMOTIONS, LLC

8  
 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11

12 CONTEST PROMOTIONS, LLC, a  
 13 California limited liability company,

14 Plaintiff,

15 v.

16 CITY OF SAN FRANCISCO, a  
 17 municipal corporation; COUNTY OF  
 18 SAN FRANCISCO, a subdivision of the  
 State of California; CITY AND  
 19 COUNTY OF SAN FRANCISCO, a  
 chartered California city and county; and  
 DOES 1 through 10, inclusive,

20 Defendants.

CASE NO. CV 09-4434 SI

**STIPULATION FOR BRIEF STAY  
 OF LITIGATION PENDING  
 SETTLEMENT DISCUSSIONS AND  
 FOR CONTINUANCE OF PRETRIAL  
 DATES; [PROPOSED] ORDER**

JMBM  
 Jeffer Mangels  
 Butler & Mitchell LLP

21  
 22  
 23  
 24  
 25  
 26  
 27  
 28

**STIPULATION**

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  
27  
28

1. Pursuant to Fed. R. Civ. Proc. 16 and the Local Rules of this Court, plaintiff Contest Promotions, LLC and defendant City and County of San Francisco (collectively, the "parties"), through their respective counsel of record, respectfully submit the following stipulation requesting a minor extension of the pre-trial dates.

2. The purpose of this stipulation is to effectuate an agreement reached between the parties for a temporary stand down of the litigation while the parties explore settlement talks. The agreement was reached in the evening on Wednesday, February 23, 2011, after an exchange of settlement correspondence. That correspondence makes the parties hopeful that a settlement can be reached in this matter in short order. While the parties cannot guarantee that a settlement will ultimately be reached, their settlement discussions have progressed far enough to make a brief stand down period make sense to allow the parties to complete their discussions and, at the same time, avoid the expense of litigation.

3. This is a very active period for this litigation. Depositions are underway and many more depositions were scheduled to take place prior to the close of fact discovery on March 4, 2011. Even prior to the agreement for a temporary stand down, the parties were already contemplating the necessity of seeking relief from the March 4 fact discovery cut-off to allow for the completion of percipient witness depositions in the two weeks after March 4.

4. The parties' temporary stand down agreement provides that there shall be no further litigation activity until March 11, 2011. The parties contemplate that a two-week stand down period is necessary to explore the current settlement opportunity.

5. To effectuate the stand down agreement, the parties respectfully request an adjustment in the current pre-trial schedule, as follows:

**CURRENT DATES:**

1  
2  
3 Non-Expert Discovery Cut-Off: March 4, 2011  
4 Designation of Experts: March 18, 2011  
5 Designation of Rebuttal Experts: April 1, 2011  
6 Expert Discovery Cut-Off: April 15, 2011  
7 Dispositive Motions, Filed: May 20, 2011  
8 Dispositive Motions, Oppositions Filed: June 3, 2011  
9 Dispositive Motions, Reply Filed: June 10, 2011  
10 Dispositive Motions, Hearing: June 24, 2011 at 9:00 a.m.  
11 Pretrial Conference: July 26, 2011 at 3:30 p.m.  
12 Trial : August 8, 2011 at 8:30 a.m.  
13

**PROPOSED NEW DATES:**

14  
15 Non-Expert Discovery Cut-Off: April 8, 2011  
16 Designation of Experts: April 22, 2011  
17 Designation of Rebuttal Experts: May 6, 2011  
18 Expert Discovery Cut-Off: May 13, 2011  
19 Dispositive Motions, Filed: June 10, 2011  
20 Dispositive Motions, Oppositions Filed: June 24, 2011  
21 Dispositive Motions, Reply Filed: July 1, 2011  
22 Dispositive Motions, Hearing: July 15, 2011 at 9:00 a.m.  
23 Pretrial Conference: August ~~13~~<sup>23</sup>, 2011 at 3:30 p.m.  
24 Trial : August 29, 2011 at 8:30 a.m.  
25

26 6. There is good cause to continue the pretrial dates as described  
27 above because it will allow the parties to explore the current settlement opportunity  
28 and, at the same time, avoid litigation costs. The parties believe that a brief stand

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  
27  
28

down period is necessary for productive settlement talks.

IT IS SO STIPULATED.

DATED: February 28, 2011

JEFFER MANGELS BUTLER & MITCHELL  
LLP  
BENJAMIN M. REZNIK  
MATTHEW D. HINKS  
AMY LERNER HILL

By: /s/ Matthew D. Hinks  
MATTHEW D. HINKS  
Attorneys for Plaintiff CONTEST  
PROMOTIONS, LLC

DATED: February 28, 2011

DENNIS J. HERRERA  
KRISTEN A. JENS  
THOMAS S. LAKRITZ  
VICTORIA WONG

By: /s/ Thomas S. Lakritz  
THOMAS S. LAKRITZ  
Attorneys for Defendant CITY AND COUNTY  
OF SAN FRANCISCO

1 **[PROPOSED] CASE MANAGEMENT ORDER**

2 The parties' Stipulation for Brief Stay of Litigation Pending Settlement  
3 Discussions and for Continuance of Pretrial Dates is hereby adopted by the Court as  
4 the Case Management Order for the case and the parties are ordered to comply with  
5 this Order.

6  
7 IT IS SO ORDERED:

8  
9 Dated: 2/28/11

10  
11 By:   
12 HONORABLE SUSAN ILLSTON  
13 United States District Court Judge  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

