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E-FILED

23 **UNITED STATES DISTRICT COURT**
 24 **NORTHERN DISTRICT OF CALIFORNIA**

25 PARK VILLAGE APARTMENTS
 26 TENANTS ASSOCIATION, WILLIAM
 27 FOSTER, SHIRLEY SMITH, ANAHID
 28 ISSAHAKIAN, PATRICIA JOHNSON,
 MARTIN KOCH, LAWRENCE LEE,
 FOSTER REUBEN, MARIA LILLIAN
 SANCHEZ, ALISON WRIGHT and
 CORNELIUS WEEKLEY,

Case No. C-09-4780 EDL

**STIPULATION TO MODIFY
 TRIAL PREPARATION
 SCHEDULE AND TRIAL;
~~PROPOSED~~ ORDER AS
 MODIFIED**

Plaintiffs,

v.

MORTIMER HOWARD TRUST,
 MORTIMER R. HOWARD,

Defendants.

1 Pursuant to Federal Rule of Civil Procedure 16(b)(4), Plaintiffs, PARK VILLAGE
2 APARTMENT TENANTS ASSOCIATION, et al. (Plaintiffs) and Defendants, MORTIMER
3 HOWARD TRUST and MORTIMER HOWARD (Defendants), in the above-entitled action, by and
4 through respective counsel, hereby request that the Court's Case Management and Pretrial Order for
5 Jury Trial dated January 25, 2012 (Document #85) be modified to accommodate the ongoing
6 settlement discussions between the parties. The current Order establishes the following schedule:

7	Non-expert discovery cut-off:	June 12, 2012
8	Initial expert disclosure deadline:	July 31, 2012
9	Rebuttal expert disclosure:	August 31, 2012
10	Expert discovery cut-off:	September 14, 2012
11	Dispositive motion filing deadline:	June 26, 2012
12	Hearing of dispositive motions:	July 31, 2012
13	Pre-trial conference:	October 30, 2012 at 2:00 p.m.
14	Trial:	November 19, 2012 at 8:30 a.m.

15 A Settlement Conference is currently scheduled for June 22, 2012 at 9:30 a.m. with
16 Magistrate Judge Beeler. Three continuances of the Settlement Conference have been granted by the
17 Court in recognition of the parties continuing progress toward a negotiated settlement. In an effort
18 to continue the discussions and build on the progress already made, the parties are also requesting in
19 a separately filed request that the currently scheduled settlement conference be continued.

20 The parties have engaged in productive settlement negotiations for the past 60 days and are
21 in the process of drafting a settlement agreement and other documents. In order to continue the
22 substantial progress made to date, the parties propose the following modification of the trial
23 preparation and trial schedule:

24	Non-expert discovery cut-off:	August 14, 2012
25	Initial expert disclosure deadline:	September 28, 2012
26	Rebuttal expert disclosure:	October 12, 2012
27	Expert discovery cut-off:	October 31, 2012
28	Dispositive motion filing deadline:	August 28, 2012

1 Hearing of dispositive motions:

October 2, 2012

2 Pre-trial conference:

December 18, 2012 at 2:00 p.m

3 Trial:

January 14, 2013 at 8:30 a.m.

4
5 RESPECTFULLY SUBMITTED,

6 BAY AREA LEGAL AID
7 Lisa S. Greif
8 Naomi Young
9 Robert Capistrano

10 NATIONAL HOUSING LAW PROJECT
11 James R. Grow
12 Kent Qian

13 Dated: June 8, 2012

14 /s/ Lisa S. Greif

15 _____
16 Lisa S. Greif
17 Attorneys for Plaintiffs

18 SWIHART AND ASSOCIATES
19 Thomas Swihart

20 Dated: June 8, 2012

21 /s/ Thomas M. Swihart

22 _____
23 Thomas M. Swihart
24 Attorneys for Defendants

1 I hereby attest that I have on file all holograph signatures for any signatures indicated
2 by a "conformed" signature (/s/) within this efiled document.

3
4 Dated: June 8, 2012

5 Bv: /s/ Lisa S. Greif
6 LISA S. GREIF
7 Attorneys for Plaintiffs

8
9 **ORDER**

10
11 Good cause appearing therefore, IT IS SO ORDERED.

12
13
14 DATED: June 11, 2012

