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 6 CITY AND COUNTY OF SAN FRANCISCO  
 and RONALD M. CHOY  
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 LEOPOLDO PAZ-HERRERA  
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13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

15 LEOPOLDO PAZ-HERRERA,  
 16 Plaintiff,  
 17 vs.  
 18 CITY AND COUNTY OF SAN  
 FRANCISCO; RONALD M. CHOY and  
 19 DOES 1-30,  
 20 Defendant.  
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Case No. C09-4795 MMC  
**STIPULATION AND ~~PROPOSED~~ ORDER  
 CONTINUING TRIAL DATE**

23 Plaintiff Leopoldo Paz-Herrera (“Plaintiff”) and Defendants City & County of San Francisco  
 24 and Ronald M. Choy (“Defendants”), by and through their respective counsel, hereby stipulate and  
 25 agree, subject to the Court’s approval, to continue the trial date in this action from January 31, 2011 to  
 26 May 9, 2011 or as soon thereafter as the Court can accommodate.

27 The basis for submitting this stipulation and proposed order is as follows. Deputy City  
 28 Attorney Blake Loebs, the lead and senior attorney representing Defendants in this action, will be off

1 work on family leave in January of 2011 due to the anticipated arrival of his first child. Due to Mr.  
2 Loeb's family leave, defense counsel had requested that plaintiff's counsel agree to a thirty to forty-  
3 five day continuance of the trial in this action. However, plaintiff's counsel, Charles Geerhart, Esq. of  
4 Paoli & Geerhart, has several jury trials and other important events scheduled in and around or  
5 between late February, 2011 and early May, 2011.

6 Accordingly, counsel for the parties request that the Court continue the trial in this action to the  
7 earliest available trial date convenient for all counsel, or to May 9, 2011, and/or the earliest available  
8 date after this time that is convenient to the Court. The parties request that the Pretrial Conference  
9 Date be moved from January 18, 2011 to April 26, 2011 at 3:00 p.m. and/or to another date and time  
10 convenient to the Court.

11 All other dates -- expert disclosures and discovery, dispositive motion deadline, and a further  
12 status conference on Nov. 5, 2010 -- shall remain unchanged.

13  
14 Dated: August 10, 2010

15 DENNIS J. HERRERA  
16 City Attorney  
17 JOANNE HOEPER  
18 Chief Trial Deputy  
19 BLAKE P. LOEBS  
20 ANDREW M. GSCHWIND  
21 Deputy City Attorneys

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By: \_\_\_\_\_ /s./  
ANDREW M. GSCHWIND  
Attorneys for Defendants

1 Dated: August 10, 2010

2 PAOLI & GEERHART, LLP


3  
4 By: \_\_\_\_\_ /s./<sup>1</sup>  
5 CHARLES GEERHART  
6 Attorneys for Plaintiff

7  
8 **~~PROPOSED~~ ORDER**

9 PURSUANT TO STIPULATION, IT IS SO ORDERED: The trial date in this action is hereby  
10 continued to [May 9, 2011] ~~[or, alternatively]~~ [\_\_\_\_\_, 2011]. The Pretrial Conference in  
11 this action is hereby continued to [April 26, 2011] ~~[or, alternatively]~~ [\_\_\_\_\_, 2011 at 3:00  
12 p.m.] Lead trial counsel shall meet and confer no later than March 20, 2011 ~~[or, alternatively]~~  
13 \_\_\_\_\_, 2011.]

14 All other currently-scheduled dates in this action shall remain the same.

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16 Date: August 12, 2010

17 By:   
18 THE HON. MAXINE M. CHESNEY  
19 United States District Court Judge

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28 <sup>1</sup> Per General Order 45, section X.B., defense counsel hereby attests that he has obtained the  
concurrence, consent and authorization of Mr. Geerhart to file this document on his behalf.