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 10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION

13
 14 **CARLOS CASTRO,**

15 Plaintiff,

16 v.

17
 18 **ROBERT A. HOREL, et al.,**

19 Defendants.

C 09-4902 WHA

**[PROPOSED] JOINT STIPULATION TO
 RESCHEDULE CASE MANAGEMENT
 CONFERENCE ; ORDER**

Date: May 13, 2010
 Time: 2:30 p.m.
 Courtroom: 9
 Judge: The Honorable William Alsup
 Action Filed: October 14, 2009

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 21 On May 6, 2010, the Court rescheduled the case management conference previously set
 22 for May 13, 2010 at 11:00 a.m. to 2:30 p.m. Kenneth Roost and Brendan Kenny are counsel for
 23 Defendants in both this matter and the related matter, *Castro v. Terhune, et al.*, Case No. 3:98-
 24 CV-04877 WHA. Mr. Kenny will be defending the deposition of Mr. Short, a Pelican Bay State
 25 Prison gang investigator, on May 13, 2010 and is therefore unavailable to attend the hearing
 26 without causing significant hardship to Mr. Short. Mr. Roost, who had been planning to attend
 27 the hearing, is travelling the afternoon of May 13, 2010 and is unable to reschedule his flight and
 28

1 therefore unavailable. Similarly, Mr. Kenny will be defending the deposition of Mr. Pieren, a
2 Pelican Bay gang investigator, on May 14, 2010 and is therefore unavailable to attend a hearing
3 on May 14 without causing significant hardship to Mr. Pieren. Mr. Roost will be out of town on
4 May 14 and is therefore unavailable. Plaintiff's counsel is amendable to rescheduling the case
5 management conference, and accordingly, the parties jointly request that the Court reschedule the
6 conference to a time convenient to the Court.

7 SO STIPULATED:

8 DATED: May 11, 2010

/s/ James E. Thompson
9 JAMES E. THOMPSON
Attorneys for Plaintiff Carlos Castro

11 DATED: May 11, 2010

/s/ Brendan M. Kenny
12 BRENDAN M. KENNY
13 Attorneys for Defendants Fischer, et al.

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15 Good cause appearing, the case management conference is
16 continued to: May 20, 2010, at 11:00 a.m.

18 APPROVED AND SO ORDERED:

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20 DATED: May 11, 2010.

