

1 Terry Gross, terry@gba-law.com (103878)
Adam Belsky, adam@gba-law.com (147800)
2 Monique Alonso, Monique@gba-law.com (127502)
Ben Feuer, ben@gba-law.com (247502)
3 GROSS BELSKY ALONSO LLP
180 Montgomery Street, Suite 2200
4 San Francisco, CA 94104
Tel: (415)544-0200
5 Fax: (415)544-0201

6 Attorneys for Plaintiff Jane Tyska

7 LOUIS A. LEONE, ESQ. lleone@stubbsleone.com (SBN: 099874)

8 **STUBBS & LEONE**

A Professional Corporation

9 2175 N. California Blvd., Suite 900

Walnut Creek, CA 94596

10 Telephone: (925) 974-8600

11 Facsimile: (925) 974-8601

12 Attorneys for Defendant

OAKLAND UNIFIED SCHOOL DISTRICT

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16 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
17 **OAKLAND DIVISION**

18 JANE TYSKA, an individual,

19 Plaintiff,

20 v.

21 OAKLAND UNIFIED SCHOOL DISTRICT,
22 ART MICHEL, and DOES 1-20, inclusive,

23 Defendant.
24

) Case No.: 09-cv-05727-MEJ

) **STIPULATION AND ~~PROPOSED~~**
ORDER CONTINUING CMC AND
RESPONSE DATES PENDING BOARD
APPROVAL OF SETTLEMENT
AGREEMENT

25 WHEREAS the complaint in this action was filed on December 4, 2009, the Joint Case
26 Management Conference Statement and the parties Rule 26(f) Reports are due July 1, 2010, and
27 a Case Management Conference is currently scheduled for 10:00 a.m. on July 8, 2010;
28

1 WHEREAS Defendant Oakland School District has been served a copy of the complaint,
2 but defendant Art Michel has not been served a copy of the complaint;

3 WHEREAS this matter was mediated through JAMS on June 2, 2010;

4 WHEREAS plaintiff and the served defendant reached a settlement agreement as to all
5 claims and all parties contingent upon approval of the Governing Board of the Oakland Unified
6 School District;

7 WHEREAS the served defendant will present the settlement agreement to the Governing
8 Board of the Oakland Unified School District and seek Board approval of said agreement on
9 June 30, 2010;

10 WHEREAS the parties filed a stipulation and [proposed] order that was approved and
11 signed by Magistrate Judge Maria-Elena James on April 14, 2010 (Doc#8), and the parties by
12 this Stipulation and Proposed Order now seek to modify the dates set by the April 14, 2010
13 Order to allow the served defendant to seek Board approval of the settlement agreement and the
14 parties to finalize the settlement agreement if Board approval is obtained;

15 IT IS STIPULATED that all pleadings, responses thereto, and discovery will be stayed
16 and held in abeyance pending approval of the settlement agreement by the Governing Board of
17 the Oakland Unified School District on June 30, 2010; that the limitation date prescribed by
18 Federal Rule of Civil Procedure 4(m) will be stayed until July 30, 2010; and that the Case
19 Management Conference scheduled for 10:00 a.m. on July 8, 2010, will be continued to 10:00
20 a.m. on August 12, 2010. All other deadlines specified in the Court's December 4, 2009 Order
21 Setting Initial Case Management Conference and ADR Deadlines and the Case Management
22 Standing Order for Magistrate Judge Maria-Elena James shall be continued accordingly.

23 Dated: June 4, 2010

GROSS BELSKY ALONSO LLP

24 By: 
25 BÉN FEUER, Esq.

26 Attorneys for Plaintiff JAYNE TYSKA

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28 ///

1 Dated: June 11, 2010

STUBBS & LEONE

2 By: /s/ Louis A. Leone
3 LOUIS A. LEONE, Esq.

4 Attorneys for Defendant
5 OAKLAND UNIFIED SCHOOL DISTRICT

6 **IT IS ORDERED THAT:**

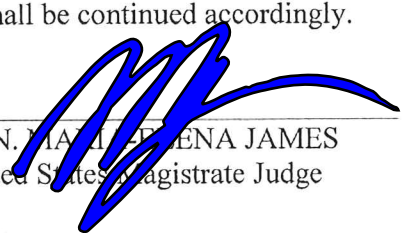
7 1. All pleadings, responses thereto, and discovery will be stayed and held in
8 abeyance pending approval of the settlement agreement by the Governing Board of the Oakland
9 Unified School District on June 30, 2010.

10 2. The limitation date prescribed by Federal Rule of Civil Procedure 4(m) will be
11 stayed until July 30, 2010.

12 3. The Case Management Conference scheduled for 10:00 a.m. on July 8, 2010,
13 shall be continued to 10:00 a.m. on August 12, 2010.

14 4. All other deadlines specified in the Court's December 4, 2009 Order Setting
15 Initial Case Management Conference and ADR Deadlines and the Case Management Standing
16 Order for Magistrate Judge Maria-Elena James shall be continued accordingly.

17
18 Dated: June 15, 2010


19 HON. MARIA-ELENA JAMES
20 United States Magistrate Judge