

1 MIGUEL MÁRQUEZ, County Counsel (S.B. #184621)
 2 MARK F. BERNAL, Deputy County Counsel (S.B. #173923)
 3 OFFICE OF THE COUNTY COUNSEL
 4 70 West Hedding, East Wing, 9th Floor
 San Jose, California 95110-1770
 Telephone: (408) 299-5900
 Facsimile: (408) 292-7240

5 Attorneys for Defendants
 6 COUNTY OF SANTA CLARA, SUSAN
 7 WARE, KAREN HEGGIE, DONALD
 8 GAGE, LIZ KNISS, MICHAEL ROSSI,
 9 FRAN ALLEN, JONATHAN
 10 WEINBERG, WILL LIGHTBOURNE,
 11 KATHLEEN MILES, IZI CHAN,
 PATRICIA GEISICK (ALSO SUED
 12 ERRONEOUSLY HEREIN AS "SANTA
 13 CLARA COUNTY DEPARTMENT OF
 14 SOCIAL SERVICES" AND
 15 "DEPARTMENT OF FAMILIES AND
 16 CHILDREN SERVICES AGENCY")

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 (San Francisco)

17	MEAGAN BUCKHOLTZ, Personally,)	No. C09-06037 SI
18	Plaintiff,)	SUPPLEMENTAL CASE MANAGEMENT STATEMENT AND [PROPOSED] ORDER
19	v.)	
20	SANTA CLARA COUNTY, et al.)	
21	Defendants.)	Date: February 4, 2010
)	Time: 3:00 p.m.
)	Dept.: Crtrm 10, 19 th Floor
)	Judge: Judge Susan Illston

23 Pursuant to Civil L.R. 16-10(d), the parties to the above-entitled action certify that they
 24 met and conferred at least 10 days prior to the subsequent case management conference
 25 scheduled in this case and jointly submit this Supplemental Case Management Statement and
 26 Proposed Order and request the Court to adopt it as a Supplemental Case Management Order in
 27 this case.

28 //

1 DESCRIPTION OF SUBSEQUENT CASE DEVELOPMENTS

2 1. The following progress or changes have occurred since the last case management
3 statement filed by the parties:

4 At the Initial Case Management Conference the Court instructed the parties to seek a
5 continuance of the Subsequent Case Management Conference should there be any delay in the
6 Santa Clara County Superior Court’s release of Plaintiff’s Child Dependency records pursuant
7 to Defendants’ Welfare & Institutions Code §827 petition. Plaintiff has also filed a §827
8 petition for the same records. The parties jointly request that the Subsequent Case Management
9 Conference be continued approximately 90 days for the following reasons:

- 10 A. Plaintiff’s Child Dependency records are necessary for Defendants to prepare for
11 the deposition of Plaintiff and to then present, and for Plaintiff to oppose, a
12 summary judgment motion;
- 13 B. The parties have learned that the Superior Court is in the process of changing its
14 827 petition procedures and therefore there was a considerable delay in
15 processing the parties’ 827 petitions;
- 16 C. The Superior Court was unable to release the requested records until January 10,
17 2011;
- 18 D. The parties will require time to review and analyze the released Child
19 Dependency records to prepare for Plaintiff’s deposition and then prepare and
20 oppose the summary judgment motion;
- 21 E. The Superior Court released Plaintiff’s Child Dependency records without a
22 hearing and without any party providing input on the appropriateness or
23 completeness of the disclosure, therefore it is possible that one or more of the
24 parties may request a hearing in Superior Court to challenge the completeness of
25 the 827 petition ruling. Neither party has had the opportunity to evaluate the
26 disclosed records to determine if a hearing will be requested.

27 2. The parties jointly request the Court to make the following Supplemental Case
28 Management Order:

1 The subsequent case management conference scheduled for 3:00 pm on February 4, 2011, in
2 Courtroom 10 be continued to 3:00 pm on May 6, 2011, in Courtroom 10.

3 Dated: _____ Respectfully submitted,
4
5 MIGUEL MÁRQUEZ
6 County Counsel

7 By: _____
8 MARK F. BERNAL
9 Deputy County Counsel

10 Attorneys for Defendant
11 COUNTY OF SANTA CLARA,
12 SUSAN WARE, KAREN HEGGIE,
13 DONALD GAGE, LIZ KNISS,
14 MICHAEL ROSSI, FRAN ALLEN,
15 JONATHAN WEINBERG, WILL
16 LIGHTBOURNE, KATHLEEN MILES, IZI
17 CHAN, PATRICIA GEISICK (ALSO
18 SUED ERRONEOUSLY HEREIN AS
19 "SANTA CLARA COUNTY
20 DEPARTMENT OF SOCIAL SERVICES"
21 AND "DEPARTMENT OF FAMILIES
22 AND CHILDREN SERVICES AGENCY")

23 Dated: 1/31/11

24 By: Meagan Marie Buckholtz
25 MEAGAN BUCKHOLTZ
26 Plaintiff in Pro Se

27 [Proposed]
28 **ORDER**

The subsequent case management conference scheduled for 3:00 pm on February 4, 2011, in
Courtroom 10 is continued to 3:00 pm on May 6, 2011, in Courtroom 10.

IT IS SO ORDERED.

Dated: _____

Honorable Susan Illston
United States District Court Judge