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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GEOFFREY PETE,  
Plaintiff,

No. C 09-06097 WHA

v.

**ORDER DENYING  
PLAINTIFF’S REQUEST  
TO EXTEND DEADLINES**

CITY OF OAKLAND, a Municipal  
Corporation, KYLE THOMAS, MIKE MORSE,  
DAVID KOZICKI, and PEDRO ESPINOZA,  
individually and in their capacity as Police  
Officers/Administrators of the Oakland Police  
Department, DOWNTOWN REALTY  
COMPANY, INC., and DOES 3-100,  
Defendants.

On December 8, 2010, plaintiff filed a letter requesting that the deadline for the close of discovery and expert disclosure be extended from December 31, 2010 to February 28, 2011. Plaintiff explained that mediation could not be scheduled before January 11 — after the current discovery deadline — and that, as a result, the costly discovery phase of the litigation “may be pursued needlessly” unless the deadline is extended. Plaintiff represented that an impromptu meet-and-confer was conducted on this proposal, at which “[c]ounsel for defendants were not amenable to Plaintiff’s proposal.”

Plaintiff’s request is **DENIED**. Although it is regrettable that resources may be consumed unnecessarily by discovery, that is a risk plaintiff assumed when he filed this action. The extension plaintiff requests would impact the procedural schedule and trial date in this action. Litigation, however, must proceed in a timely fashion regardless of any attempts at alternative

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dispute resolution that the parties may or may not be pursuing in parallel to the court action. If plaintiff is particularly eager to avoid the costs of litigation, he is encouraged to redouble his efforts at reasonably settling his case.

**IT IS SO ORDERED.**

Dated: December 10, 2010.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE