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8 Attorneys for Defendants CITY AND COUNTY
 OF SAN FRANCISCO, OFFICER MILEN BENEGAS
 9 AND OFFICER CONROY TAM

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

12 ANDREW MATTINGLY,

13 Plaintiff,

14 vs.

15 CITY AND COUNTY OF SAN
 16 FRANCISCO, SFPD, SF SHERIFF
 DEPT., OFCR MILEN S. BREWSTER,
 17 OFCR TAM, DOES 1-100,

18 Defendants.

Case No. C 10 0193 JL

**STIPULATED AND ~~PROPOSED~~
 ORDER:**

**1) CONTINUING DEADLINE TO
 CONDUCT MEDIATION TO AUGUST
 23, 2010**

AND

**2) CONTINUING FURTHER CMC
 FROM AUGUST 11, 2010 TO
 SEPTEMBER 8, 2010**

21 On April 9, 2010, the Court referred the parties to court-sponsored mediation, which was to be
 22 conducted pursuant to Local ADR Rule 6-4 on or before July 12, 2010.

23 On May 17, 2010, the parties held a phone conference with the mediator, who informed them
 24 that he will be unavailable from June 23 to July 12, and for the last week of July.

25 Although the parties have been diligently pursuing the limited discovery necessary to
 26 complete the mediation, it appears they will be unable to complete that discovery on or before June
 27 23, 2010. Prior to the mediation, the parties wish to complete the depositions of the Plaintiff and the
 28

1 two Officer defendants—Milen Benegas and Conroy Tam. Additionally, Plaintiff has served some
2 document requests and defendants have subpoenaed Plaintiff's medical records. Plaintiff and
3 defendants have agreed that defendants' responses to Plaintiff's document requests will be due on
4 June 11, 2010, and the parties are meeting and conferring regarding deposition dates in late June
5 and/or early July 2010.

6 Accordingly, the parties and the mediator have—subject to the Court's approval—agreed to
7 schedule the mediation for August 9, 2010 at 10:00 a.m. The parties request, however, that the Court
8 extend the parties' deadline for completing the mediation to and including August 23, 2010 in case the
9 need for a second session arises or an unanticipated conflict precludes the mediation on August 9,
10 2010.

11 IT IS SO STIPULATED.

12 Dated: May 17, 2010

DENNIS J. HERRERA
City Attorney
JOANNE HOEPER
Chief Trial Attorney

15 By: /s/ Kimberly A. Bliss
16 Kimberly A. Bliss
17 Attorneys for Defendants

18 Dated: May 17, 2010

HELBRAUN LAW FIRM

20 By: /s/ David M. Helbraun*
21 David M. Helbraun
22 Attorneys for Plaintiff

23 *Pursuant to General Order 45, §X.B., the filer of this
24 document attests that she has received the concurrence
25 of this signatory to file this document.

ORDER

1 Based on the above stipulation, and for good cause appearing, the deadline to conduct a
2 mediation in this case is continued to and including August 23, 2010. Additionally, the Further Case
3 Management Conference scheduled for August 11, 2010 at 11:30 a.m. is CONTINUED to September
4 8, 2010 at 11:30 a.m. The parties shall file an updated joint Case Management Conference statement
5 on or before September 1, 2010.
6

7
8 Dated:



HON. JAMES LARSON