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17 Attorneys for Defendant  
 18 MENLO PARK CITY SCHOOL DISTRICT

19 **UNITED STATES DISTRICT COURT**  
 20 **NORTHERN DISTRICT OF CALIFORNIA**  
 21 **(SAN FRANCISCO DIVISION)**

22 ANDREW W.,

23 Plaintiff,

24 vs.

25 MENLO PARK CITY SCHOOL DISTRICT,  
 26 *et al.*,

27 Defendants.

) Case No.: C 10-00292  
 )  
 ) **STIPULATION AND PROPOSED ORDER**  
 ) **CONTINUING THE DEADLINE TO**  
 ) **COMPLETE EARLY NEUTRAL**  
 ) **EVALUATION AND THE CASE**  
 ) **MANAGEMENT CONFERENCE**  
 )  
 )  
 )  
 )  
 )  
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1 Plaintiff Andrew W., a minor, filed the instant action and has filed an amended complaint  
2 which adds a new defendant. Andrew W. has not yet served new defendant OFFICE OF  
3 ADMINISTRATIVE HEARINGS ("OAH"), but service should occur within the next week.  
4 Defendant MENLO PARK CITY SCHOOL DISTRICT has filed a Motion to Strike and a  
5 Motion to Dismiss, to be heard July 9, 2010, so the case will not be at issue by the time of the  
6 scheduled case management conference or before the deadline to complete the Early Neutral  
7 Evaluation.  
8

9 Counsel for the parties have met and conferred pursuant to Rule 26.

10 The Parties agree to a continuance of the initial case management conference currently  
11 calendared for June 25, 2010. The Parties also request an extension of time to complete the  
12 Early Neutral Evaluation so that the newly added defendant, OAH, may participate.  
13

14  
15 DATED: May 28, 2010

LAW OFFICES OF DANIEL L. BALSAM

16  
17 BY: *Daniel L. Balsam*  
18 DANIEL L. BALSAM  
Attorneys for the Plaintiff

19  
20 DATED: May 28, 2010

COUNTY COUNSEL

21  
22 BY: *Claire Cunningham*  
23 CLAIRE CUNNINGHAM  
Attorneys for the Defendant

24  
25 THE FOREGOING STIPULATION IS APPROVED AND SO ORDERED. Specifically, the  
26 Case Management Conference is CONTINUED to August 27, 2010, at which time the deadline  
27 DATED: June 4, 2010 to complete Early Neutral Evaluation will be set.

28 *Margaret M. Cheney*  
United States District Court Judge