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5   UNITED STATES DISTRICT COURT

6   NORTHERN DISTRICT OF CALIFORNIA

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8   RONALD EL-MALIK CURTIS,   Case No. 10-cv-00358-SI

           Plaintiff,
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           v.   **ORDER RE: EX PARTE APPLICATION**
10   **TO EXTEND TRIAL DATE**
      CITY OF OAKLAND, et al.,
11   Re: Dkt. No. 206
           Defendants.
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14   On June 30, 2015, the City filed a motion to postpone trial in this case, currently set to

15   begin August 10, 2015, by seven months to March of 2016. In a sworn declaration, counsel for the

16   City explains that her husband has recently been diagnosed with a terminal illness, and as a result

17   she will need to alter her work-related obligations. The Court is saddened to learn of this

18   unfortunate news, and wishes Ms. Jordan-Davis and her family the best during this difficult time.

19   The actions giving rise to this lawsuit occurred in 2007, 2008 and 2009. The lawsuit was

20   filed in 2010. In his opposition to the motion to postpone, plaintiff argues that (1) the trial date

21   has already been postponed multiple times, most recently by five months to accommodate the

22   parties' scheduling conflicts, (2) counsel for plaintiff will not be available to try any cases in 2016,

23   and (3) there are a number of other attorneys representing the City who have been working

24   alongside Ms. Jordan-Davis throughout this litigation who could take over for her. The Court is

25   persuaded by these arguments and therefore declines to extend the trial date to March of 2016.

26   In his opposition, plaintiff suggests moving the trial to November 2, 2015 to allow the City

27   additional time to coordinate change of counsel. **In light of this suggestion, the Court will allow**

28   **defendants to determine whether they would prefer to move the trial to November 2, 2015,**

1 **or to proceed as currently scheduled on August 10, 2015. Defendants are ORDERED to file**

2 **a notice with the Court no later than July 10, 2015, stating which date they prefer.**

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4   **IT IS SO ORDERED.**

5 Dated: July 1, 2015

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8   SUSAN ILLSTON
              United States District Judge

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