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7 MICHAEL PAULICK

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 MICHAEL PAULICK

CASE NO. C 10-01919 JCS  
Civil Rights

11 Plaintiff,

12 V.

13 STARWOOD HOTELS &  
14 RESORTS WORLDWIDE, INC.;  
15 INTRAWEST NAPA  
16 DEVELOPMENT COMPANY,  
17 LLC;INTRAWEST NAPA  
18 RIVERBEND HOSPITALITY  
19 MANAGEMENT, LLC;  
20 INTRAWEST CALIFORNIA  
21 HOLDINGS, INC.; and DOES 1-25,  
22 Inclusive,

**STIPULATION, DECLARATION,  
AND [~~PROPOSED~~] ORDER FOR  
ENLARGEMENT OF TIME TO  
CONDUCT GENERAL ORDER 56  
“MEET AND CONFER”**

**(Local Rule 6-2)**

23 Defendants.  
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Stipulation, Declaration and [Proposed ]Order  
For Enlargement Of Time To Conduct General  
Order 56 “Meet And Confer”

**STIPULATION**

Plaintiff, by and through his attorney, and Defendants, by and through their attorneys, stipulate to an extension of time from August 20, 2010 to September 6, 2010 to conduct the “meet and confer” required by the Court’s Scheduling Order and by paragraph 4 of General Order 56.

\_\_\_\_\_The parties further stipulate that this Stipulation may be signed in counterparts and that facsimile or electronically transmitted signatures shall be as valid and binding as original signatures.

It is so stipulated.

Date: 8/13/10

Sidney J. Cohen  
Professional Corporation

/s/ Sidney J. Cohen

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Sidney J. Cohen  
Attorney for Plaintiff Richard Skaff

Date: 8/11/10

Liebersbach, Mohun, Carney & Reed

/s/ Gerald F. Mohun

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Gerald F. Mohun  
Attorneys for All Defendants

**DECLARATION OF SIDNEY J. COHEN**

I, Sidney J. Cohen, declare:

1. I am counsel for Plaintiff in this action. I am an attorney in good standing and licensed to practice in the courts of California, in the United States District Courts for the Northern, Eastern, and Central Districts, in the United States Court of Appeals for the Ninth Circuit, and in the United States Supreme Court. If called upon to testify, I would testify as follows:

2. Pursuant to the court’s Scheduling Order in the case and General

1 Order 56, the parties held their joint site inspection on August 6, 2010.

2 3. Unless otherwise permitted by the court, the parties must hold their  
3 “meet and confer” by no later than August 20, 2010.

4 4. Based on the following, the August 20,2010 date does not provide  
5 sufficient time for the parties to hold a meaningful “meet and confer”:

6 A. Plaintiff’s expert consultant, Peter Margen, will prepare a  
7 detailed Report setting forth 1) each of the alleged barriers to access that he  
8 discovered at the five hour joint site inspection of the 180 room Verasa hotel  
9 which is the subject of the action, 2) each of the California Building Code (CBC)  
10 and Americans With Disabilities Act Administrative Guidelines (ADAAG)  
11 requirements for each alleged barrier, and 3) the corrective work alleged to be  
12 required to bring each barrier into compliance with the CBC and ADAAG.

13 B. Mr. Margen is in Los Angeles, California during the week of  
14 August 9 through 13 on other business matters, including but not limited to  
15 depositions, and is not available to work on the Report during that time frame.

16 C. Mr. Margen estimates that he will be able to prepare and  
17 complete his Report by on or about August 20, 2010.

18 D. Upon completion, Mr. Margen’s Report will be transmitted  
19 Defendants’ counsel for consideration and review so that Defendants can fulfill  
20 the requirement set forth in paragraph 4 of General Order 56 to specify, for each  
21 claimed violation, whether Defendants are willing to undertake the requested  
22 corrective action or have an alternate proposal and, if Defendants claim any  
23 proposed corrective action is not readily achievable or other wise is not required  
24 by law, to specify the factual basis for the claim.

25 5. Based on paragraph 4A-D, supra, the parties need an extension of  
26 time to on or about September 6, 2010 to conduct a meaningful and productive

1 “meet and confer” session.

2 6. With the exception of extending the August 20, 2010 “meet and  
3 confer” date, granting the requested extension will not effect any other  
4 deadlines.

5 7. There have been no previous modifications in the case by  
6 Stipulation or Court Order which have altered court ordered deadlines.

7 I declare under penalty of perjury that the foregoing is true and correct.

8 Executed this 10<sup>th</sup> day of August, 2010 at Oakland, California.

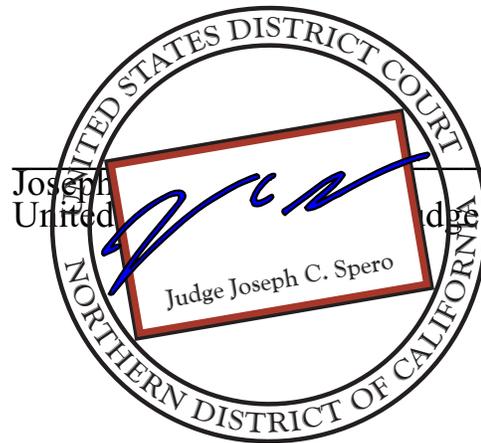
9 /s/ Sidney J. Cohen  
10 Sidney J. Cohen

11 **ORDER**

12 Having considered the parties Stipulation and the supporting  
13 Declaration, and for good cause shown, the court extends the date by which the  
14 parties must conduct the General order 56 “meet and confer” from August 20,  
15 2010 to September 6, 2010.

16 **IT IS SO ORDERED.**

17 **Date:** 8/23/10



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