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15 Attorneys for Plaintiff
 16 TIMOTHY GARDNER

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA

19 TIMOTHY GARDNER,

NO. C10-03410 EMC

20 Plaintiff,

**STIPULATION AND [PROPOSED]
 ORDER TO EXTEND EXPERT
 DISCOVERY CUT-OFF**

21 vs.

22 CITY OF BERKELEY, DAVID HODGKINS;
 23 DOUG HAMBLETON; ROY MEISNER;
 24 BOBBY MILLER,

Complaint Filed: June 25, 2010
 Removed to Federal Court: Aug. 3, 2010

25 Defendants.

STIPULATION

26 The parties hereby stipulate through their undersigned counsel that the expert discovery
 27 cut-off be extended as follows:

28 November 21, 2011: Expert's opening reports

December 5, 2011: Rebuttal reports

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December 19, 2011: Expert discovery cut-off.

GOOD CAUSE EXISTS for the stipulation to extend time as follows: The Parties have one additional item of non-expert discovery remaining (the deposition of Eric Gustafson, scheduled for November 15, 2011). Thus, allowing the Parties a short period of time after non-expert discovery closes in order to complete expert discovery promotes the interests of justice and will result in no prejudice to any party.

Respectfully submitted:
ZACH COWAN, City Attorney
MARK J. ZEMBSCH, Deputy City Attorney

Dated: November 2, 2011

By: _____ /s/
MARK J. ZEMBSCH, Deputy City Attorney
Attorneys for City of Berkeley and David Hodgkins

Respectfully submitted:
BURNS, SCHALDENBRAND & RODRIGUEZ

Dated: November 2, 2011

By: _____ /s/
EDWARD W. BURNS
Attorney for Plaintiff Timothy Gardner

THE FOREGOING STIPULATION IS APPROVED AND IS SO ORDERED.

DATE: 11/4/11 _____

