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5 Attorneys for Defendants: Aaron Mosley, Craig Wong, Cory Johnson, Oscar Ortiz, County of Napa

6
 7 UNITED STATES DISTRICT COURT
 8 NORTHER DISTRICT OF CALIFORNIA

9
 10 PATRICK VINATIERI

Plaintiff,

11 vs.

12 AARON MOSLEY, CRAIG WONG, CORY
 13 JOHNSON, OSCAR ORTIZ, COUNTY OF NAPA,
 MICHAEL VALLERGA, EILEEN McMULLEN,
 14 ARNOLD VALLERGA and Does 1-25, inclusive,

15 Defendants.

) NO. 3:10-CV-03854 RS

)
) STIPULATION AND [~~PROPOSED~~]
) ORDER TO CONTINUE CASE
) MANAGEMENT CONFERENCE
) AS MODIFIED BY THE COURT

) Date: April 21, 2011

) Time: 10:00 a.m.

) Judge: Honorable Richard Seeborg

) Location: Courtroom: 3

)
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 17 The parties, by and through their counsel of record, hereby stipulate and agree as follows:

18 1. The Case Management Conference is presently scheduled in this matter to be held on
 19 April 21, 2011 at 10:00 a.m. Plaintiff was previously granted leave to file a first amended complaint,
 20 and plaintiff did so. Defendants' Aaron Mosley, Craig Wong, Cory Johnson, Oscar Ortiz and the
 21 County of Napa filed a Motion to Dismiss the First Amended Complaint. The court heard oral
 22 argument, took the matter under submission and thereafter issued its order granting Defendants'
 23 Motion to Dismiss, with leave to amend as to five of the six causes of action in the first amended
 24 complaint (Order filed April 7, 2011 - Document 27.) The court's order requires plaintiff to amend
 25 his first amended complaint within thirty days of the date of the order, if plaintiff intends to proceed.

26 2. Plaintiff intends to file an amended complaint consistent with the court's order. The
 27 public entity defendants expect to file a further motion to dismiss once the amended complaint is
 28 filed in light of the court's order.

STIPULATION AND [~~PROPOSED~~] ORDER TO CONTINUE CASE MANAGEMENT CONFERENCE

1 3. The parties believe that the Case Management Conference should be continued until
2 such time as the issues regarding the pleadings are resolved to enable the parties to be in a better
3 position to address time frames for discovery and trial. Accordingly, the parties stipulate to
4 continuing the Case Management Conference from April 21, 2011 to an appropriate date
5 approximately 90 days from that date and further stipulate that all dates attendant to the Case
6 Management Conference be likewise continued.

7 Dated: April 11, 2011

SCOTT LAW FIRM

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BY: /s/ John Houston Scott
John Houston Scott
Attorney for Plaintiff

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Dated: April 11, 2011

JONES & DYER

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BY: /s/ Mark A. Jones
MARK A. JONES
Attorney for Defendants
Aaron Mosley, Craig Wong, Cory
Johnson, Oscar Ortiz, County of Napa

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Dated: April 11, 2011

BABIN & SEEGER, LLP

BY: /a/ Martin L. Seeger, IV
Martin L. Seeger, IV
Attorney for Defendant
Arnold Vallerga

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~~PROPOSED~~ ORDER

GOOD CAUSE APPEARING THEREFOR, IT IS HEREBY ORDERED:

1. The Case Management Conference currently scheduled for April 21, 2011 at 10:00 a.m. is hereby continued by 90 days, or to July 21, 2011 at 10:00 a.m.; and
2. All attendant dates have been continued by ~~90 days~~ accordingly.

Date: 4/11/11


United States District Court Judge