

Fagen Friedman & Fulfrost, LLP
70 Washington Street, Suite 205
Oakland, California 94607
Main: 510-550-8200 • Fax: 510-550-8211

1 Roy A. Combs, SBN 123507
rcombs@fagenfriedman.com
2 Joshua A. Stevens, SBN 228239
jstevens@fagenfriedman.com
3 FAGEN FRIEDMAN & FULFROST, LLP
70 Washington Street, Suite 205
4 Oakland, California 94607
Phone: 510-550-8200
5 Fax: 510-550-8211

6 Attorneys for Defendant GOVERNING BOARD
OF THE MOUNT DIABLO UNIFIED SCHOOL
7 DISTRICT

8

9

UNITED STATES DISTRICT COURT

10

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

11

12

RICHARD HEYER,

CASE NO. CV10-4525-MMC

13

Plaintiff,

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE**

14

vs.

15

GOVERNING BOARD OF THE MOUNT
DIABLO UNIFIED SCHOOL DISTRICT,

16

Defendant.

17

18

19

SUBJECT TO THE APPROVAL OF THIS COURT, THE PARTIES HEREBY

20

STIPULATE TO THE FOLLOWING:

21

1. On or about May 13, 2011, plaintiff Richard Heyer ("Plaintiff") served his Third
22 Amended Complaint on defendant Governing Board of the Mount Diablo Unified School District
23 ("Defendant").

24

2. On or about May 17, 2011, Defendant's counsel informed Plaintiff's counsel of
25 Defendant's intention to file a motion to dismiss Plaintiff's Third Amended Complaint.

26

3. The parties stipulate to continue the case management conference, currently
27 scheduled for May 27, 2011, and all respective ADR and Rule 26 deadlines, pending the outcome

28

JOINT STIPULATION AND [PROPOSED]
ORDER CONTINUING CASE MANAGEMENT
CONFERENCE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

of the hearing on Defendant's motion to dismiss Plaintiff's Third Amended Complaint.

SO STIPULATED.

DATED: May 17, 2011.

Respectfully submitted,

FAGEN FRIEDMAN & FULFROST, LLP

By: /s/ Joshua A. Stevens
Joshua A. Stevens
Attorneys for Defendant GOVERNING BOARD
OF THE MOUNT DIABLO UNIFIED SCHOOL
DISTRICT

DATED: May 17, 2011.

Respectfully submitted,

LAW OFFICES OF CURTIS G. OLER

By: /s/ Curtis G. Oler
Curtis G. Oler
Attorney for Plaintiff RICHARD HEYER


Fagen Friedman & Fulfroft, LLP
70 Washington Street, Suite 205
Oakland, California 94607
Main: 510-550-8200 • Fax: 510-550-8211

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~PROPOSED~~ ORDER

IT IS HEREBY ORDERED, pursuant to the above Stipulation of the parties, that the case is continued to July 29, 2011 management conference, currently scheduled for May 27, 2011, and all respective ADR and Rule 26 deadlines, are continued ^{likewise} ~~pending the outcome of the hearing on Defendants' motion to dismiss Plaintiffs Third Amended Complaint.~~

DATED: May 20, 2011


Hon. Maxine M. Chesney
UNITED STATES DISTRICT JUDGE

00283.00141/272365.1