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 AND REDEVELOPMENT AUTHORITY, and
 19 COMMUNITY IMPROVEMENT COMMISSION
 OF THE CITY OF ALAMEDA

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25 Attorneys for Defendant
 26 ANN MARIE GALLANT

27 **UNITED STATES DISTRICT COURT**
 28 **NORTHERN DISTRICT OF CALIFORNIA**

1 SCC ALAMEDA POINT, LLC, a limited
liability company,

2 Plaintiff,

3 v.
4

5 CITY OF ALAMEDA, a municipal corporation;
6 ALAMEDA REUSE AND REDEVELOPMENT
AUTHORITY, a Joint Powers Authority;
7 COMMUNITY IMPROVEMENT
COMMISSION OF THE CITY OF ALAMEDA,
a public body corporate and politic; ANN
8 MARIE GALLANT, an individual; and DOES 1
through 10, inclusive,

9 Defendants.
10

CASE NO. 3:10-cv-05178-CRB

**STIPULATION TO CONTINUE INITIAL
CASE MANAGEMENT CONFERENCE
AND HEARING ON DEFENDANTS'
MOTIONS TO DISMISS AND MOTIONS
TO STRIKE AND ORDER**

Current City

Motion to Dismiss/

Strike Date:

March 11, 2011

Time:

10:00 a.m.

Place:

Courtroom 8, 19th Floor

New City

Motion to Dismiss/

Strike Date:

May 13, 2011

Time:

10:00 a.m.

Place:

Courtroom 8, 19th Floor

Current CMC/

Gallant/Sanctions

Motions Date:

April 8, 2011

Time:

10:00 a.m.

Place:

Courtroom 8, 19th Floor

New CMC/Gallant/

Sanctions Motion Date:

May 13, 2011

Time:

10:00 a.m.

Place:

Courtroom 8, 19th Floor

Judge: Hon. Charles R. Breyer

1 WHEREAS, Defendants City of Alameda, Alameda Reuse and Redevelopment Authority,
2 and Community Improvement Commission of the City of Alameda, filed a Motion to Dismiss the
3 Second Amended Complaint and Motion to Strike (the “City Motion”). The City Motion is
4 currently set for hearing on March 11, 2011 at 10:00 a.m. in Courtroom 8 of the above-captioned
5 Court;

6 WHEREAS the Initial Case Management Conference is currently scheduled for April 8,
7 2011 at 10:00 a.m.;

8 WHEREAS, Defendant Ann Marie Gallant (“Gallant”) filed the following motions:
9 (1) Motion to Dismiss the Fourth Cause of Action of Plaintiff’s Second Amended Complaint;
10 (2) Motion to Strike Portions of Plaintiff’s Second Amended Complaint; and (3) Special Motion to
11 Strike the Fourth Cause of Action to the Second Amended Complaint (“Gallant Motions”), currently
12 set for hearing on April 8, 2011 at 10:00 a.m.;

13 WHEREAS, Plaintiff SCC Alameda Point, LLC (“Plaintiff”) filed a Motion for Sanctions
14 against Defendants for Spoliation of Evidence (“Plaintiff Motion”), currently set for hearing on
15 April 8, 2011 at 10:00 a.m.;

16 WHEREAS, counsel for Plaintiff are not available on March 11, 2011;

17 WHEREAS, all parties wish to continue the hearing on the City Motion to Dismiss from
18 March 11, 2011 to April 8, 2011;

19 WHEREAS, all parties also wish to continue the Initial Case Management Conference, the
20 hearing on the Gallant Motions, and the hearing on the Plaintiff Motion to May 13, 2011, or as soon
21 thereafter as the Court is available; and

22 WHEREAS, the parties will not be prejudiced by the continuance.

23 IT IS HEREBY STIPULATED by and between the parties, through their respective
24 undersigned attorneys of record, that the hearing on the City Motion will be continued to May 13,
25 2011 at 10:00 a.m., or as soon thereafter as the Court is available.

26 IT IS HEREBY STIPULATED by and between the parties, through their respective
27 undersigned attorneys of record, that the Initial Case Management Conference and the hearing on the
28

1 Gallant Motions and Plaintiff Motion will be continued to May 13, 2011 at 10:00 a.m., or as soon
2 thereafter as the Court is available.

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DATED: March __, 2011 MILLER BARONDESS, LLP

By: _____
Daniel S. Miller
Attorneys for Plaintiff
SCC ALAMEDA POINT, LLC

DATED: March __, 2011 NEWDORF LEGAL
DAVID B. NEWDORF

BINGHAM MCCUTCHEN LLP
GEOFFREY L. ROBINSON

By: _____
David B. Newdorf
Attorneys for Defendants
CITY OF ALAMEDA, ALAMEDA REUSE AND
REDEVELOPMENT AUTHORITY AND
COMMUNITY IMPROVEMENT COMMISSION OF
THE CITY OF ALAMEDA

DATED: March __, 2011 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By: _____
Arthur J. Friedman
Attorneys for Defendant
ANN MARIE GALLANT

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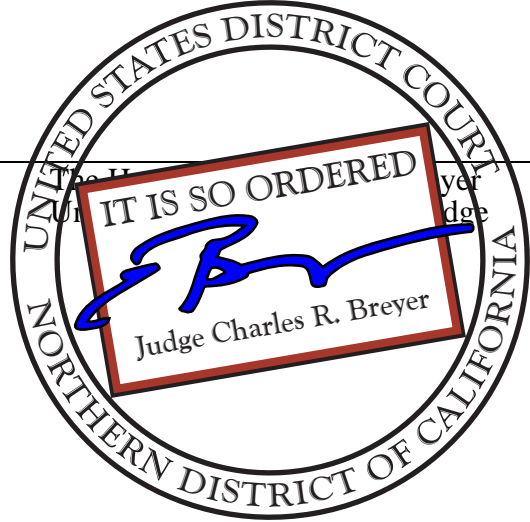
ORDER

All motions and case management conference currently on calendar are reset to May 13, 2011 at 10:00 a.m..

IT IS SO ORDERED.

DATED: March 8, 2011

By: _____



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