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SIDNEY J. COHEN, ESQ., State Bar No. 39023 SIDNEY J. COHEN PROFESSIONAL CORPORATION 427 Grand Avenue Oakland, CA 94610 Telephone: (510) 893-6682 3 Attorneys for Plaintiff 4 CAROLYN MARTIN 5 UNITED STATES DISTRICT COURT 6 NORTHERN DISTRICT OF CALIFORNIA 7 **CAROLYN MARTIN** CASE NO. C10-05195 JSW Civil Rights 8 Plaintiff, 9 V. STIPULATION, DECLARATION, 10 KOHL'S DEPARTMENT STORES. AND [PROPOSÉD] ORDER FOR INC; HARSCH INVESTMENT ENLARGEMENT OF TIME TO 11 REÁLTY LLC, SERIES C; CONDUCT JOINT SITE and DOES 1-25, Inclusive, INSPECTION 12 Defendants. (Local Rule 6-2) 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 Stipulation and [Proposed] Order For Enlargement Of

Time To Conduct Joint Site Inspection

STIPULATION

	.1	
2	Plaintiff Carolyn Martin	and Defendants Kohl's Department Stores,
3	Inc. and Harsch Investment Realty, LLC, Series C, by and through their	
4	attorneys, stipulate to an extension of time from February 24, 2011 to April 29,	
5	2011 to conduct the Joint Site Inspection required by the court's Scheduling	
6	Order in the case and by General Order 56.	
7	The parties further stipulate that this Stipulation may be signed in	
8	counter parts and that facsimile or electronically transmitted signatures shall be	
9	as valid and binding as original signatures.	
10 11	Date: 2/1/11	SIDNEY J. COHEN PROFESSIONAL CORPORATION /s/ Sidney J. Cohen
		Sidney J. Cohen
12 13		Attorney for Plaintiff Carolyn Martin
14	Date: 2/1/11	FARELLA BRAUN + MARTEL LLP /s/ Adam C. Dawson
15 16		Adam C. Dawson Attorney for Defendant Harsch Investment Realty LLC
17	Date: 2/1/11	PAYNE & FEARS LLP /s/ Leila Narvid
181920		Leila Narvid Attorney for Defendant Kohl's Department Stores, Inc
20	DECLARATION	OF SIDNEY I COHEN
22	JECLARATION OF SIDNEY J. COHEN I, Sidney J. Cohen, declare:	
23		
24	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	
25	District Courts for the Northern, Eastern, and Central Districts, in the United	
26	States Court of Appeals for the Ninth Circuit, and in the United States Supreme	
27	Court. If called upon to testify, I wou	-
28	apon to testify, I woo	
_ 5	Stipulation and [Proposed] Order For Enlargement (Of

- 2. Counsel for the parties have learned of the very recent purchase of the property and premises which is the subject of this action by Harsch Alameda Towne Centre, LP, a Delaware Limited Partnership.
- 3. The parties have entered into and e filed with the court a "STIPULATION AND[PROPOSED] ORDER TO PERMIT PLAINTIFF TO FILE A FIRST AMENDED COMPLAINT" to add Harsch Alameda Towne Centre, LP, a Delaware Limited Partnership, as a defendant in the action.
- 4. The Court has signed the Order to permit plaintiff to add Harsch Alameda Towne Centre, LP as a party defendant, and its attendance at and participation in the General Order 56 "Joint Site Inspection" is essential in the process of moving the litigation to a resolution.
- 5. An extension of the "Joint Site Inspection" date from February 24, 2011 to April 29, 2011 should provide sufficient time for plaintiff to serve the First Amended Complaint on defendants, for defendants, including Harsch Alameda Towne Centre, LP, A Delaware Limited Partnership, to respond to the First Amended Complaint, and for the parties and their attorneys and consultants to attend a joint site inspection by no later than April 29, 2011.
- 6. With the exception of extending the initial disclosure deadline (7 days prior to the joint site inspection), the "meet and confer" deadline (10 business days after the joint site inspection date), and the date by which plaintiff must file any necessary notice of need for mediation (45 days after the joint site inspection date), the requested enlargement will not effect deadlines.
- 7. There have been no previous modifications in the case by Stipulation or Court Order which have altered court ordered deadlines.

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

Executed this 1st day of February, 2011 at Oakland, California.

/s/ Sidney J. Cohen Sidney J. Cohen

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1	ORDER
2	Having considered the parties Stipulation and the supporting
3	Declaration, and for good cause shown, the court enlarges the date by which the
4	parties must conduct the joint site inspection of the property and premises which
5	is the subject of this lawsuit from February 24, 2011 to April 29, 2011.
6	IT IS SO ORDERED.
7	Date: February 3 2011
8	Jeffrey S Whit
9	United States District Judge
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