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9 Attorneys for Danilo Martin Molieri
 10 And Daniel Steven Molieri, Plaintiffs

11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**
 13 **(SAN FRANCISCO)**

14 DANIEL MARTIN MOLIERI and,
 15 DANIEL STEVEN MOLIERI,
 16 Plaintiffs,

CASE NO. C-10-5430 MMC
 Complaint Filed: 12/1/2010

17 vs

STIPULATION TO CONTINUE SETTLEMENT
 CONFERENCE; (~~PROPOSED~~) ORDER ON
 STIPULATION

18 COUNTY OF MARIN; Marin
 19 County Sheriff's Sergeant
 20 J. SCARDINA; Sheriff's Deputy
 21 ERIC RICHARDSON; Sheriff's
 22 Deputy BONDANZA; CITY AND
 23 COUNTY OF SAN FRANCISCO;
 24 San Francisco Police Sergeant
 25 R. COX; San Francisco Police
 26 Sergeant J. O'MALLEY; and
 27 DOES 1 through 25, inclusive,

28 Defendants.

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STIPULATION

The parties in this, the above-entitled matter, by and through their respective counsel of record, stipulate and agree to the following in support of their request that the settlement

1 conference now scheduled for April 10, 2012 be continued to June 27, 2012. The following is
2 proffered as good cause for the requested continuance:

- 3 1. The complaint in this matter was filed on December 1, 2010. Subsequent to its filing,
4 counsel cooperatively and diligently developed this case for resolution, disposition or
5 trial through discovery.
- 6 2. This case centers around police practices and, with significance to this request for a
7 continuance of the settlement conference in this matter scheduled for April 10, 2012,
8 plaintiffs' 4th amendment claims arising from the entry into plaintiffs' residence on
9 December 8, 2012, and their detention and arrest on that occasion by law enforcement
10 personnel of the County of Marin and the City and County of San Francisco.
- 11 3. The parties have filed reciprocal motions for summary judgment and partial summary
12 judgment, principally directed to the aforementioned issues. The court has taken those
13 motions under submission, having vacated the hearing scheduled for April 6, 2012.
- 14 4. The significance of the pending motions is such that the parties do not believe an effort
15 to resolve this case without determination of the pending motions will be fruitful. The
16 motions address the "discrete issues" that will most likely impact settlement, a subject
17 expected to be addressed in settlement conference statements pursuant to the standing
18 orders.
- 19 5. Given the foregoing factual representations, the parties request that the court continue
20 the settlement conference to June 27, 2012, with settlement conference statements due
21 seven (7) calendar days in advance, or June 20, 2012. Should that date be inconvenient
22 to the court, the parties are available on June 25 and 26. The parties are not available on
23 June 22, 2012.
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Dated: April 6, 2012

LAW OFFICES OF JOHN L. BURRIS

By: /S/JOHN L. BURRIS

John L. Burris, Esq.
Attorneys for Plaintiffs
Danilo Martin Molieri and
Daniel Steven Molieri

Dated: April 6, 2012

PATRICK K. FAULKNER
County Counsel

By: /S/RENEE GIACOMINI BREWER

Renee Giacomini Brewer.
Deputy County Counsel
Attorneys for County of Marin

Dated: April 6, 2012

DENNIS J. HERRERA
City Attorney
JOANNE HOEPER
Chief Trial Deputy

By: /S/MICHAEL GERCHOW

Michael Gerchow
Deputy City Attorney
Attorneys for Defendant
City and County of San Francisco

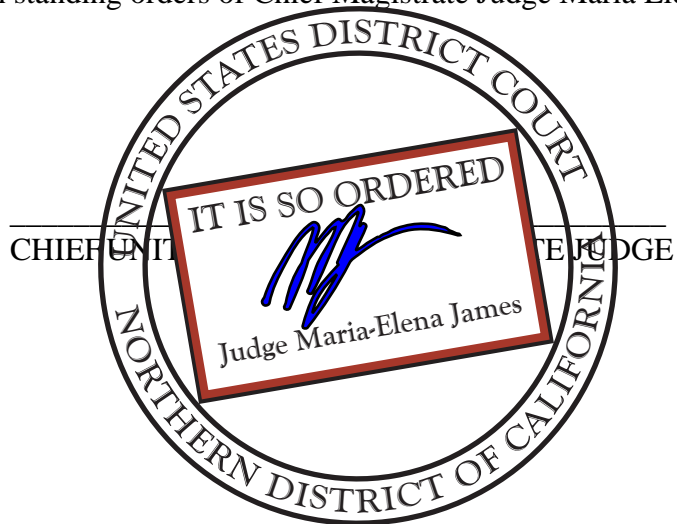
ORDER

The court, having considered the parties' stipulation and good cause appearing,

IT IS ORDERED that the settlement conference in this matter is continued to June 27,
2012 at 10:00 a.m. **Confidential** settlement conference statements to be lodged no later than

1 June 20, 2012 in compliance with standing orders of Chief Magistrate Judge Maria Elena
2 James for settlement conferences.

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4 Dated: April 9, 2012



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