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 CITY OF SANTA ROSA

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 7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10
 11 COLLEEN MAGUIRE,

CASE NO. C11-02352 JSW

12 Plaintiff,

**STIPULATION AND ~~PROPOSED~~
 ORDER ENLARGING TIME FOR
 COMPLIANCE WITH GENERAL
 ORDER 56**

13 v.

14 CITY OF SANTA ROSA, AND DOES 1
 through 10, inclusive,

[DEMAND FOR JURY TRIAL]

15 Defendants.
 16
 17 _____/

18 The parties respectfully request an enlargement of time in which to meet and
 19 confer regarding settlement of the action pursuant to Paragraph 4 of General Order 56
 20 as follows:

21 **RECITALS**

22 Whereas the Complaint for Damages and Injunctive Relief (Title II Americans
 23 with Disabilities Act and related state claims) was filed on May 12, 2011, and defendant
 24 timely answered;

25 Whereas the complaint alleges, in part, deficiencies in paths of travel at sidewalks
 26 and related public improvements in City;

27 Whereas plaintiff prepared and circulated a 24 page "Draft Preliminary Barriers
 28 Report";

1 Whereas plaintiff's consultant Karl Danz, defendant's consultant Kim Blackseth,
2 City's ADA Coordinator Mardell Morrison, City's Supervising Engineer Stephen
3 Dittmer, and counsel conducted a joint site inspection at more than 60 locations in City
4 on August 24, 2011;

5 Whereas City has initiated, and is continuing, a multi-departmental search for
6 documents related to ownership, maintenance and alteration history of the
7 improvements in question and has compiled voluminous documents to date;

8 Whereas General Order 56, Par. 4 mandates that the parties meet in person to
9 meet and confer regarding settlement within 10 days of the joint site inspection (in this
10 case, September 5, 2011).

11 Whereas City intends to prepare and offer a detailed written response to
12 plaintiff's Report;

13 Whereas the work of compiling City documents and a defense response will
14 require many man-hours;

15 Whereas the available man-hours in the City Attorney's Office are limited, and it
16 is impossible to prepare a response in the mandated time period;

17 Therefore, it is stipulated and agreed herein by and between the parties that the
18 time for City to prepare its response and to then meet and confer shall be enlarged. City
19 shall prepare its response, and the parties shall meet and confer, no later than
20 **December 2, 2011.**

21
22 Dated: 8/31 , 2011

/s/

John J. Fritsch
Assistant City Attorney
Attorney for Defendant
CITY OF SANTA ROSA

23
24
25 Dated: 8/31 , 2011

BARBOSA, METZ & HARRISON, LLP
/s/

Jeff A. Harrison
Attorneys for Plaintiff
COLLEEN MAGUIRE

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GOOD CAUSE APPEARING, IT IS SO ORDERED.

Dated: September 1, 2011



Hon. Jeffrey S. White
Judge, U.S. District Court