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8 Attorneys for Defendant
 CITY AND COUNTY OF SAN FRANCISCO
 9 and S. A. NAVARRO

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

13 PHILLIP PLEVIN, TERESITA TORRES,
 14 Plaintiffs,
 15 vs.
 16 CITY AND COUNTY OF SAN
 FRANCISCO; S. A. NAVARRO and Does 1-
 17 25, inclusive
 18 Defendants.

Case No. 11-cv-2359 MEJ

**STIPULATION AND ~~PROPOSED~~ ORDER
 TO CONTINUE DEFENDANTS' MOTION
 FOR ATTORNEYS FEES AND EXPERT
 COSTS**

Trial Date: Not Set

21 The undersigned parties, through counsel, STIPULATE and AGREE and jointly request a
 22 continuance of Defendants' Motion for Attorneys Fees and Expert Costs from March 21, 2013 at
 23 10:00 a.m. to April 11, 2013 at 10:00 a.m. The parties make this request based on the following
 24 circumstances:

- 25 1. The Court on its on motion reset Defendants' Motion for Attorneys Fees and Expert
 26 Costs from March 14, 2013 to March 21, 2013.
- 27 2. Counsel for defendants Warren Metlitzky has a motion for summary judgment due on
 28 March 21, 2013 in *Thomas Cooke v. City and County of San Francisco*, San Francisco Superior Court

1 No. CGC-11-515413. The summary judgment is extensive and the filing date was specifically
2 scheduled to avoid conflict with defendants' motion for attorney fees in this matter. Given the
3 impending filing date, defense counsel is unable to properly prepare for and attend the hearing on
4 March 21, 2013. Defense counsel contacted plaintiff's counsel to inquire when plaintiffs' counsel
5 would next be available to attend the hearing.

6 4. Based on defense counsel's unavailability, the parties stipulate to continuing
7 defendants' Motion for Attorneys Fees and Expert Costs to April 11, 2013, or as soon thereafter as is
8 convenient for the Court.

9
10 **IT IS SO STIPULATED.**

11 Dated: March 18, 2013

12 DENNIS J. HERRERA
13 City Attorney
14 CHERYL ADAMS
15 Chief Trial Deputy
16 WARREN METLITZKY
17 Deputy City Attorneys

18 By: /s/ Warren Metlitzky
19 WARREN METLITZKY
20 Attorneys for Defendant
21 CITY AND COUNTY OF SAN FRANCISCO
22 and S. A. NAVARRO

23 Dated: March 18, 2013

24 LAW OFFICES OF WILLIAM E. WEISS

25 By: /s/ *
26 William E. Weiss, Esq. (SBN 73108)
27 Attorney for Plaintiffs PHILLIP PLEVIN and
28 TERESITA TORRES
**Pursuant to GO 45, the electronic signatory has obtained approval from this signatory.*

ORDER

Based on the above stipulation, and for good cause appearing, IT IS ORDERED as follows:

- Defendants' Motion for Attorneys Fees and Expert Costs is continued to April 11, 2013 at 10:00 a.m.



Dated: March 18, 2013

THE HONORABLE MARIA ELENA JAMES

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