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 8 Counsel for Plaintiff
 9 TOM McMILLIN

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

12 TOM McMILLIN,

13 Plaintiff,

14 v.

15 FOSTER CITY, et al.,

16 Defendants.

) No. C-11-3201-WHA

) **STIPULATED REQUEST TO
 CONTINUE CASE MANAGEMENT
 CONFERENCE; ORDER**

) Date: April 19, 2012

) Time: 3:00 p.m.

) Honorable William H. Alsup

17 TO THE HONORABLE COURT HEREIN:

18 THE PARTIES HERETO HEREBY STIPULATE AND AGREE AS FOLLOWS:

19 There presently is set a case management herein for April 19, 2012, at
 20 3:00 p.m.

21 Plaintiff's counsel likely will be in trial in Alameda County in the matter
 22 *Cacianti v. Ratto*, and thus likely will be unavailable for the April 19, 2012,
 CMC before this Court.

23 As a result of the meet and confer process, the parties agreed on a
 24 date by which Plaintiff will file a first amended complaint. The parties have
 25 also agreed information Plaintiff believes relevant may be discovered through
 26 a subpoena served on the State of California, Department of Consumer
 27 Affairs, and production pursuant to that subpoena has not been completed.

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1 The parties' counsel have met and conferred and are in the process of
2 submitting timely their joint case management statement.

3 After conferring on a new date, all counsel agree they are available on
4 Thursday, May 10, 2012, at 3:00 p.m., or as soon thereafter as the Court
5 may set this matter.

6 Therefore, based on the above, the parties hereby request that the
7 Court re-schedule the initial Case Management Conference to May 10, 2012.

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9 Date: April 9, 2012

Russell A. Robinson /s/
By: Russell A. Robinson
Law Office of Russell A. Robinson
Counsel for Plaintiff
TOM McMILLIN

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14 Date: April 9, 2012

Joseph C. Howard, Jr. /s/
By: Joseph C. Howard, Jr.
Howard Rome Martin & Ridley, LLP
Counsel for Defendants
FOSTER CITY, FOSTER CITY POLICE
DEPARTMENT, DOUGLAS NIX, and
PIERRE MORRISON

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18
19 Date: April 9, 2012

Daniel J. Valim /s/
By: Daniel J. Valim
Office of County Counsel
County of San Mateo
Counsel for Defendants
COUNTY OF SAN MATEO, SAN MATEO
DISTRICT ATTORNEY'S OFFICE, VISHAL
DINESH JANGLA, and ALPANA DAMODAR
SAMANT

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ORDER

Based on the above stipulated request, and good cause appearing, it is hereby ordered as follows:

The case management conference set for April 19, 2012, at 3:00 p.m., is hereby continued to Thursday, May 10, 2012, at 3:00 p.m. The A joint statement is due at least seven days prior. ~~The parties need not file a new joint case management conference statement.~~ THERE WILL BE NO FURTHER CONTINUANCES.
IT IS SO ORDERED.

Date: April 9, 2012

Honorable WILLIAM W. ALSUP
Judge, United States District Court
Northern District of California

