

1 BLAINE L. FIELDS, SBN 65781
333 WEST SAN CARLOS
2 8TH FLOOR
SAN JOSE, CALIFORNIA 95110
3 (408) 279-3600

4 Attorney for Plaintiff

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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10 KATHLEEN STALLWORTH,

Case No. C 11-04841 JSW

11 Plaintiff,

APPLICATION TO ENLARGE PAGE LIMIT FOR
OPENING BRIEF AND ~~PROPOSED~~ ORDER

12 vs.

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14 ANDREA BROLLINI, MICHELLE DE LA
CALLE, COUNTY OF SANTA CLARA,
SANTA CLARA PERSONNEL BOARD,
15 Does 1 through 10,

16 Defendants.

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Plaintiff applies to the court for an order permitting her to file an opening brief of up to 40 pages in length. Good cause exists for this application for the reason that the Court must use the independent judgment standard of review to determine whether the findings are supported by the evidence (*Cal Civ. Proc.* §§ 1094.5(b) and (c)) and must independently weigh the evidence, including the credibility of witnesses, and may make its own findings. *Ocheltree v. Gourley* (2002) 102 Cal.App.4th 1013, 1017. The opening brief must therefore include a thorough summary of the evidence as contained in the record. In this case the record consists of a hearing transcript of 1044 pages generated over a four day period, more than 100 multi-page exhibits offered by the parties in connection with twenty 20 discrete charges of alleged misconduct. It is anticipated at this time that plaintiff may need an additional 15 pages

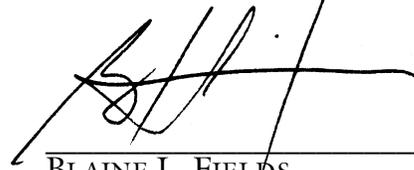
1 to complete this analysis. Plaintiff therefore requests an order to permit the filing of an
2 opening brief of up to 40 pages in length.

3 In discussing this matter with defendants' counsel, counsel indicated that the defendants
4 did not believe they would need an enlarged brief for the opposition and therefore would not
5 join in the this application but had no objection to plaintiff's request.

6 Respectfully submitted.

7 DATED: 13 April 2013

LAW OFFICES OF BLAINE L. FIELDS

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11 BLAINE L. FIELDS
Attorney for Plaintiff Kathleen Stallworth

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13 ORDER AMENDING THE ADMINISTRATIVE
14 MANDAMUS BRIEFING SCHEDULE

15 The Court, having considered the plaintiff's application and finding good cause, hereby
16 GRANTS the application. Plaintiff may file an opening brief of up to 40 pages in length.

17 Dated: April 15, 2013

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19 JUDGE JEFFREY S. WHITE
20 United States District Court