

1 MURLENE J. RANDLE, State Bar #98124
 LAW OFFICES OF MURLENE J. RANDLE
 2 235 Montgomery Street, Suite 716
 San Francisco, CA 94104
 3 Telephone: (415) 352-0189
 Facsimile: (415) 352-0187
 4 E-Mail: murlene@randlelawoffices.com

5 Attorney for the Plaintiffs

6 DENNIS J. HERRERA, State Bar #139669
 City Attorney
 7 ELIZABETH S SALVESON, State Bar #83788
 Chief Labor Attorney
 8 JONATHAN ROLNICK, State Bar #151814
 Deputy City Attorney
 9 Fox Plaza
 1390 Market Street, Fifth Floor
 10 San Francisco, California 94102-5408
 Telephone: (415) 554-3815
 11 Facsimile: (415) 554-4248
 E-Mail: jonathan.rolnick@sfgov.org

12 Attorneys for the Defendants

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 15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
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 19 AARON C. STEVENSON, KEVIN D.
 TAYLOR, KEVIN W. SMITH, AUDRY LEE,
 20 and KIRK W. RICHARDSON,

21 Plaintiffs,

22 vs.

23 THE CITY AND COUNTY OF SAN
 FRANCISCO, THE SAN FRANCISCO FIRE
 24 DEPARTMENT, THE SAN FRANCISCO
 FIRE COMMISSION, and THE CIVIL
 25 SERVICE COMMISSION OF SAN
 FRANCISCO,

26 Defendants.
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Case No. CV 11 4950 MMC

ORDER APPROVING
**STIPULATION IN SUPPORT OF THE
 PARTIES' JOINT MOTION FOR
 ADMINISTRATIVE RELIEF TO CONTINUE
 ALL PRE-TRIAL DATES, INCLUDING THE
 TRIAL DATE**

1 1. The following IS HEREBY STIPULATED to by and between the parties:

2 2. The parties seek an approximate five-month continuance of the August 30, 2013
3 discovery cutoff in this action as well as a corresponding continuance of the trial and other dates
4 established by the April 5, 2013 scheduling order in this action.

5 3. A continuance is required because, counsel for both parties are scheduled for trial in
6 *Danner, et. al v. City and County of San Francisco, et. al*, San Francisco Superior Court Case No.
7 CGC 10 – 501981 (“*Danner*”), on August 26, 2013. *Danner* concerns the claims of fifteen plaintiffs,
8 all current employees of the City’s Fire Department, who assert that they have been the victims of
9 unlawful age discrimination (disparate impact and disparate treatment) resulting from the
10 administration of a promotional examination in 2008 for the position of H-20 Lieutenant , along with
11 one claim of retaliation. Preparation for trial has and continues to consume significant resources. In
12 particular, plaintiffs’ counsel has spent significant time responding to the City’s motion for summary
13 judgment and reconsideration of said motion for summary judgment.

14 4. The *Danner* matter was originally set for trial in April 2013, however the trial court did
15 not conduct a hearing and rule on the Defendant’s Motions for Summary Judgment or in the
16 Alternative Summary Adjudication until a short time before the trial date. Given this, the trial date
17 was continued until August 26, 2013. The Defendants’ thereafter filed a Motion for Reconsideration
18 of the Trial Court’s ruling denying in part their Motion for Summary Adjudication.

19 5. Plaintiffs spent a substantial amount of time responding to said motion, preparing for
20 the hearing, and filing a Writ appealing a portion of the Trial Court ruling granting in part the
21 Defendant’s motion for Summary Adjudication. That matter is currently on appeal before the
22 California Supreme Court. Moreover, the City intends to file a Writ appealing the Trial Court’s denial
23 of its Motion for Reconsideration. However, it is Plaintiffs’ understanding that the Defendants do not
24 plan to request a stay of the August 26th trial date. Plaintiff will be responding to the Writ as they
25 prepare for the August 26, 2013, trial date.

26 6. Plaintiffs anticipate that the *Danner* trial will last from six to eight weeks.

27 7. The current deadline for the completion of discovery in the above captioned matter is
28 set for August 30, 2013. There are many outstanding discovery matters in the cases at hand that remain

1 outstanding for both parties. The extension of the scheduling deadlines in this matter would allow the
2 parties to complete these outstanding discovery issues, while allowing time for the trial preparations
3 and other litigation in the *Danner* matter.

4 8. This stipulation is based on the understanding that the Parties have submitted all their
5 written discovery requests, except for up to 20 remaining Requests for Production of Documents, and
6 with the further understanding that the neither Party will take more than the statutory limit of 10
7 depositions, and even further understanding that the Defendants will be allowed the additional time to
8 respond to Plaintiffs' outstanding written discovery requests and complete previously scheduled
9 depositions after the completion of the *Danner* trial. The Defendants agree to respond to and produce
10 documents responsive to the aforementioned outstanding discovery within 30 days after the
11 completion of the *Danner* trial. However, should the *Danner* trial date be continued, stayed, or
12 postponed for any reason the parties agree to meet and confer on an earlier due date for the
13 aforementioned discovery.

14 9. Thus, the parties hereby stipulate to the continuation of all the scheduled dates,
15 including the discovery deadline and the trial date, for a period of approximately 5 months, or to a
16 similar date convenient to the court.

17 10. It should be noted that in choosing a new pre-trial and trial schedule, the Parties have
18 taken the November and December holidays into consideration, and scheduled dates that would
19 accommodate the parties, their counsels', and potential deponents' holiday schedules.

20 11. Accordingly, the parties request the following scheduling order:

	<u>Current Dates:</u>	<u>Proposed Dates:</u>
21		
22	Joint status conference filing - no later than August 16, 2013	January 17, 2014
23	Joint status conference August 23, 2013	January 24, 2014
24	Non-expert Discovery August 30, 2013	January 31, 2014
25	Designation of Experts September 20, 2013	February 21, 2014
26	Designation of Rebuttal Experts October 4, 2013	March 7, 2014
27	Expert Discovery October 25, 2013	March 28, 2014
28	Filing of Dispositive Motion(s) November 8, 2013	April 8, 2014

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Meet and Confer

December 23, 2013

May 25, 2014

Trial Date

February 10, 2014

July 14, 2014

Dated: August 1, 2013

LAW OFFICES OF MURLENE J. RANDLE

By: _____ /S/
Murlene J. Randle, Attorney for the Plaintiffs

Dated: August 1, 2013

DENNIS J. HERRERA, City Attorney

By: _____ /S/
Jonathan Rolnick, Deputy City Attorney
Attorneys for the City and County of San Francisco

I, Murlene J. Randle, attest that concurrence in the filing of this document has been obtained from Deputy City Attorney Jonathan Rolnick.

1 ORDER

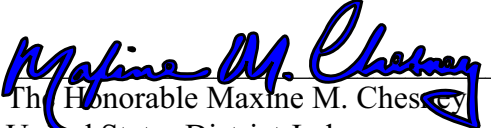
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3 PURSUANT TO STIPULATION, GOOD CAUSE HAVING BEEN FOUND, the Court
4 hereby grants the parties Joint Motion For Administrative Relief to Continue the trial and pre-trial
5 dates as follows:

6	Joint status conference filing	January 17, 2014
7	Joint status conference	January 24, 2014
8	Non-expert Discovery	January 31, 2014
9	Designation of Experts	February 21, 2014
10	Designation of Rebuttal Experts	March 7, 2014
11	Expert Discovery	March 28, 2014
12	Filing of Dispositive Motion(s)	April 8, 2014
13	Meet and Confer	May 25, 2014
14	Trial Date	July 14, 2014

15 IT IS SO ORDERED.

16 IT IS FURTHER ORDERED that the Pretrial Conference is continued to July 1, 2014.

17 Dated: August 6 , 2013

18 
19 The Honorable Maxine M. Chesney
United States District Judge