

1 BRUCE D. GOLDSTEIN, State Bar No. 135970  
 County Counsel  
 2 ANNE L. KECK, State Bar No. 136315  
 Deputy County Counsel  
 3 Office of the Sonoma County Counsel  
 575 Administration Drive, Room 105A  
 4 Santa Rosa, California 95403-2815  
 Telephone: (707) 565-2421  
 5 Facsimile: (707) 565-2624  
 E-mail: Anne.Keck@sonoma-county.org  
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7 Attorneys for Defendants the County  
 of Sonoma, Sonoma County Sheriff's  
 8 Office, and Sheriff-Coroner Steve Freitas  
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10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN FRANCISCO DIVISION

13 RAFAEL MATEOS-SANDOVAL, et al.,

No. CV-11-05817 TEH

14 Plaintiffs,

**JOINT STIPULATION TO (1) EXTEND  
 BRIEFING SCHEDULE ON MOTIONS  
 TO DISMISS, AND (2) CONTINUE  
 CASE MANAGEMENT CONFERENCE  
 DATE; ~~PROPOSED~~ ORDER**

15 v.

16 COUNTY OF SONOMA, et al.,

17 Defendants.  
 18 \_\_\_\_\_/

19 This joint stipulation is entered into by and between all named parties in this action,  
 20 including: Plaintiffs Rafael Mateos-Sandoval and Simeon Avendano Ruiz (collectively,  
 21 "Plaintiffs"); Defendants the County of Sonoma, Sonoma County Sheriff's Office, and Sonoma  
 22 County Sheriff-Coroner Steve Freitas (collectively, "County Defendants"); and the City of Santa  
 23 Rosa, Santa Rosa Police Department, and Santa Rosa Police Chief Tom Schwedhelm (collectively,  
 24 "City Defendants"). Through this stipulation, the parties request the Court to enter an order: (1)  
 25 extending the briefing schedule for the pending Motions to Dismiss; and (2) continuing the initial  
 26 Case Management Conference currently scheduled for June 4, 2012, to June 18, 2012, at 10:00 a.m.  
 27 The parties submit good cause supports this stipulation and request for order, pursuant to the  
 28 following.

1 **RECITALS**

2 A. Plaintiffs filed their Class Action Complaint for Damages and Injunctive Relief in  
3 this case on December 2, 2011. County Defendants and City Defendants filed Motions to Dismiss  
4 the complaint on April 16, 2012, both of which are set for hearing on June 18, 2012, at 10:00 a.m.

5 B. Based on the length of time prior to the hearing and the variety of issues addressed in  
6 the Motions to Dismiss, the parties have agreed to extend the briefing schedule for those motions to  
7 permit Plaintiffs to file their oppositions through and including May 14, 2012, and to permit  
8 Defendants to file their replies through and including May 24, 2012.

9 C. In addition, the Court previously approved a stipulation of the parties to continue the  
10 initial case management conference to May 21, 2012 (Dkt. No. 16). However, the Court later *sua*  
11 *sponte* rescheduled the case management conference date to June 4, 2012, pursuant to a Clerk's  
12 Notice (Dkt. No. 19), and has announced on the official court website that it is no longer available  
13 for hearings or conferences on May 21, 2012.

14 D. Counsel for County Defendants (Deputy County Counsel Anne L. Keck) has filed a  
15 Notice of Unavailability for the period May 25, 2012 through June 11, 2012, and has previously  
16 informed all counsel that she will not be available during that time. Ms. Keck is the only attorney in  
17 the Office of the Sonoma County Counsel assigned to represent County Defendants in this case, and  
18 has requested all parties not to schedule any matters during that time period.

19 E. To permit all counsel of record to attend, and to conserve the resources of the parties  
20 and the Court, the parties request the Court to continue the initial Case Management Conference to  
21 occur concurrently with the hearings on the motions to dismiss, on June 18, 2012, at 10:00 a.m.

22 WHEREFORE, the parties to this stipulation hereby agree and request entry of an order as  
23 follows:

24 **STIPULATION**

25 1. The parties request the briefing schedule on the pending Motions to Dismiss be  
26 extended to permit Plaintiffs to file their oppositions through and including May 14, 2012, and to  
27 permit Defendants to file their replies through and including May 24, 2012.



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~~[PROPOSED]~~ ORDER

Pursuant to and in accordance with the foregoing Stipulation, and with good cause appearing,  
IT IS HEREBY ORDERED as follows:

1. The briefing schedule on the pending Motions to Dismiss is extended to permit Plaintiffs to file their oppositions through and including May 14, 2012, and to permit Defendants to file their replies through and including May 24, 2012.

2. The initial Case Management Conference for this case, currently scheduled to occur on June 4, 2012, is continued to June 18, 2012, at 10:00 a.m. (specially set to occur concurrently with motion hearings). The parties shall file a joint case management conference statement at least one week prior to the conference.

IT IS SO ORDERED.

Date: 04/30/2012

