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9 Attorneys for Plaintiffs

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 11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**

14 **RAFAEL MATEOS-SANDOVAL** and
 15 **SIMEON AVENDANO RUIZ**,
 individually and as class representatives,

16 Plaintiffs,

17 vs.

18 **COUNTY OF SONOMA, SONOMA**
 19 **COUNTY SHERIFF'S DEPARTMENT,**
 20 **STEVE FREITAS, CITY OF SANTA**
ROSA, SANTA ROSA POLICE
 21 **DEPARTMENT, TOM SCHWEDHELM,**
 and **DOES 1 through 20**; individually and
 22 in their official capacities,

23 Defendants.

Case No. CV11-05817-THE

STIPULATION TO
CONTINUE MARCH 11, 2013
CASE MANAGEMENT
CONFERENCE; ~~PROPOSED~~
ORDER

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1 TO THE HON. THELTON E. HENDERSON, UNITED STATES DISTRICT JUDGE:

2 WHEREAS pursuant to the parties' stipulation (doc. 59) the Court on January 3,
3 2013 set the case management conference for March 11, 2013;

4 WHEREAS on February 8, 2013, the Sonoma County defendants filed a notice of
5 appeal from the Court's January 31, 2013 Order, denying these defendants Eleventh
6 Amendment immunity;

7 WHEREAS the Sonoma County defendants contend the filing of their notice of
8 appeal automatically stays the prosecution of claims against these defendants;

9 WHEREAS there is set for hearing on April 1, 2013, at 10:00 a.m., Plaintiffs'
10 motion seeking an order declaring the appeal by the Sonoma County defendants to be
11 frivolous (doc. 73 & 74, collectively the "Motion") which, if granted, would dissolve the
12 aforementioned stay;

13 WHEREAS it serves judicial economy and conserves the resources of the parties
14 for the case management conference to be heard at the same time the Court hears
15 Plaintiffs' Motion, or later;

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1 NOW, THEREFORE, through their respective attorneys of record, the parties
2 request that the Court continue the case management from March 11, 2013, to April 1,
3 2013, at 10:00 a.m., so that it can be held at the same time as the hearing on Plaintiffs'
4 Motion, or such later date as is convenient to the Court's calendar. The parties further
5 request that the Court continue the date for filing the joint case management conference
6 report, now due March 4, 2013, to a date no later than seven days prior to the new date
7 set for the case management conference.
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9 DATED: March 1, 2013

10 **ROBERT MANN**
11 **DONALD W. COOK**
Attorneys for Plaintiffs

12 
13 By _____
14 Donald W. Cook

15 DATED: March 1, 2013

16 **BRUCE D. GOLDSTEIN**
17 Sonoma County Counsel
Attorney for Defendants County of Sonoma, Sonoma County
18 Sheriff's Department, and Sheriff-Corner Steve Freitas

19 By /s/ Anne L. Keck
20 _____
21 Anne L. Keck
Deputy County Counsel

22 DATED: March 1, 2013

23 **CAROLINE L. FOWLER**
24 Santa Rosa City Attorney
Attorney for Defendants City of Santa Rosa, Santa Rosa
25 Police Department, and Tom Schwedhelm

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27 By _____
28 Robert L. Jackson
Assistant City Attorney

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ORDER

Upon the parties' stipulation and good cause appearing therefor, IT IS HEREBY ORDERED that the case management conference, presently set for March 11, 2013, be and hereby is continued to April 1, 2013, at 10:00 a.m., so that it can be held at the same time as the hearing on Plaintiffs' Motion. The joint case management conference report shall be filed no later than seven days before the date set for the case management conference.

DATED: 03/04/2013

