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16 Attorneys for Defendants  
 17 CITY OF FREMONT, FREMONT TENNIS CENTER,  
 18 JEFF GONCE, JOE GRECH, ANNABELLE HOLLAND  
 19 and KELLY KING

20 UNITED STATES DISTRICT COURT  
 21 NORTHERN DISTRICT OF CALIFORNIA

22 WALTER JEFFERSON,

23 Plaintiff,

24 v.

25 THE CITY OF FREMONT, FREMONT  
 26 TENNIS CENTER, JEFF GONCE, JOE  
 27 GRECH, ANNABELLE HOLLAND, KELLY  
 28 KING and Does 1 through 10, inclusive,

Defendants.

Case No. 3:12-cv-00926 EMC

**STIPULATION OF COUNSEL AND  
 [PROPOSED] ORDER TO CONTINUE  
 HEARING ON MOTION TO DISMISS AND  
 INITIAL CASE MANAGEMENT CONFERENCE**

Date: October 5, 2012

Time: 1:30 p.m.

Place: Courtroom 5, 17<sup>th</sup> Floor

Defendants City of Fremont, a municipal public entity on behalf of itself and the Fremont Tennis Center, Jeff Gonce, Joe Grech, Annabelle Holland, and Kelly King, and Plaintiff Walter Jefferson hereby submit the following Stipulation and Proposed Order rescheduling the hearing date on Defendants' Motion to Dismiss the First Amended Complaint and Initial Case Management Conference.

WHEREAS on July 23, 2012 the Court granted the parties' stipulation to continue the September 9, 2012 hearing date and associated briefing schedule for Defendants' Motion to Dismiss the First Amended Complaint to October 5, 2012 at 1:30 p.m., and rescheduled the Initial Case Management

1 Conference for October 5, 2012;

2 WHEREAS all of the briefing associated with the motion to dismiss is complete;

3 WHEREAS the parties' Joint Case Management Conference Statement is due on September 28,  
4 2012;

5 WHEREAS all parties to this action have agreed to continue the October 5, 2012 hearing date and  
6 initial case management conference to October 12, 2012 at 1:30 p.m. due to a scheduling conflict of  
7 defense counsel;

8 IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

9 1. The hearing date for Defendants' Motion to Dismiss the First Amended Complaint and the  
10 Initial Case Management Conference shall be re-scheduled for October 12, 2012 at 1:30 p.m.;

11 2. The parties' Joint Case Management Conference Statement shall be filed no later than  
12 September 28, 2012.

13 SO STIPULATED.

14 Dated: September 24, 2012

BERTRAND, FOX & ELLIOT

17 By: \_\_\_\_\_ /s/

18 Gregory M. Fox  
19 Ilana Kohn  
20 Attorneys for Defendants  
21 CITY OF FREMONT, FREMONT TENNIS  
CENTER, JEFF GONCE, JOE GRECH,  
ANNABELLE HOLLAND and KELLY KING

22 Dated: September 24, 2012

LOGAN LAW GROUP

24 By: \_\_\_\_\_ /s/

25 Angela L. Morgan  
26 Attorney for Plaintiff  
27 WALTER JEFFERSON  
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