

1 DENNIS J. HERRERA, State Bar #139669  
 City Attorney  
 2 ELIZABETH S. SALVESON, State Bar #83788  
 Chief Labor Attorney  
 3 TERENCE J. HOWZELL, State Bar #140822  
 Deputy City Attorney  
 4 Fox Plaza  
 1390 Market Street, Fifth Floor  
 5 San Francisco, California 94102-5408  
 Telephone: (415) 554-3960  
 6 Facsimile: (415) 554-4248  
 E-Mail: terence.howzell@sfgov.org  
 7

8 Attorneys for Defendant  
 CITY AND COUNTY OF SAN FRANCISCO  
 9

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12

13 DONALD CALKIN, GORDON CLARK,  
 SILVIA DAVID, SALLY FOSTER, JOHN  
 14 HIGGINS, JANET LACAMPAGNE,  
 KENNETH SANCHEZ, COLLEEN  
 15 SULLIVAN AND LEE SULLIVAN

16 Plaintiff,

17 vs.

18 CITY AND COUNTY OF SAN  
 FRANCISCO, CALIFORNIA,

19 Defendant.  
 20

Case No. C 12-02584 JCS

**STIPULATION TO CONTINUE  
 SETTLEMENT CONFERENCE DATE  
 AND PROPOSED ORDER**

Magistrate Judge: Hon. Elizabeth D. Laporte  
 Place: Courtroom E, 15<sup>th</sup> Floor  
 Date Action Filed: May 18, 2012  
 Trial Date: December 2, 2013

1 IT IS STIPULATED BY THE PARTIES AS FOLLOWS:

2 1) A Settlement Conference is currently set for November 9, 2012.

3 2) The parties anticipate completing limited discovery pertaining to certain liability and  
4 damages issues necessary for effective settlement discussions by the end of November 2012.

5 3) The parties also anticipate that a decision will be issued in a California Court of Appeal  
6 case (*Lui v. City and County of San Francisco*, Case No. A131882) involving the City and County of  
7 San Francisco and similar issues raised in this case relating to disability claims brought by disabled  
8 police officers under the California Fair Employment and Housing Act. Defendant anticipates that the  
9 ruling in the *Lui* decision will inform and affect its settlement position in this case.

10 4) The parties stipulate to continuing the Settlement Conference to a date in December  
11 2012 and request that the Court enter an order consistent with this stipulation.

12  
13 Dated: October 22, 2012

By: /s/ Terence J. Howzell  
TERENCE J. HOWZELL  
Attorneys for Defendant  
CITY AND COUNTY OF SAN FRANCISCO

14  
15  
16 Dated: October 22, 2012

BURTON EMPLOYMENT LAW

17  
18 By: /s/ Jocelyn Burton  
JOCELYN BURTON  
Attorney for Plaintiffs  
DONALD CALKIN, GORDON CLARK, SILVIA  
19 DAVID, SALLY FOSTER, JOHN HIGGINS,  
20 JANET LACAMPAGNE, KENNETH SANCHEZ,  
21 COLLEEN SULLIVAN AND LEE SULLIVAN

22 PURSUANT TO STIPULATION, IT IS SO ORDERED:

23 The Settlement Conference set for November 9, 2012, at 9:30 a.m. is continued to  
24 the date of December 6, 2012 at 9:30 a.m.

25  
26 Dated: October 26, 2012

  
THE HONORABLE ELIZABETH D. LAPORTE