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Attorneys for Plaintiff Heather Howard

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LYNNETTE FRARY, et al.,)	CASE NO. C12 3928 MEJ
)	
Plaintiffs,)	STIPULATION AND PROPOSED ORDER
)	TO EXTEND TIME TO ANSWER OR
vs.)	OTHERWISE RESPOND TO COMPLAINT
)	AND TO AMEND BRIEFING SCHEDULE
COUNTY OF MARIN, et al.,)	AND CASE DEADLINES
)	
Defendants.)	Judge: Hon. Maria-Elena James
)	

WHEREAS, this action was recently filed on July 26, 2012, and service of process was accomplished expeditiously through waivers of service executed by all named defendants; and

WHEREAS, at the time of filing the Court entered an ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES establishing a number of discovery and other deadlines and set a Case Management Conference for November 1, 2012, and

1 WHEREAS, the defendants CITY OF NOVATO, JOSEPH KREINS, OFFICER
2 THOMAS MACKENZIE, OFFICER MICHAEL DUNN, and OFFICER STEPHANIE
3 COMMISTO have filed a motion to dismiss the claims against them pursuant to Federal Rule of
4 Civil Procedure Rule 12(b)(6), and

5 WHEREAS, the defendants COUNTY OF MARIN, SHERIFF ROBERT T. DOYLE,
6 and DEPUTY RACHEL HAMMER have indicated their intention to also file a motion for
7 dismissal, but have requested an extension to and through October 9, 2012 to do so, and
8

9 WHEREAS, the plaintiffs are agreeable to the extension requested by the County of
10 Marin defendants, and all defendants are in turn agreeable to providing the plaintiffs with
11 additional time to respond to the two motions,

12 Therefore, pursuant to Local Civil Rules Nos. 6-1 and 6-2, the parties hereby agree that
13 the deadlines and case schedule may be amended as follows:

14 (1) Under Local Civil Rule 6-1 (a), it is hereby stipulated and agreed between
15 plaintiffs' counsel and counsel for defendants COUNTY OF MARIN, SHERIFF ROBERT T.
16 DOYLE, and DEPUTY RACHEL HAMMER that said defendants will have to and through
17 October 9, 2012 to file an Answer or other response to the plaintiffs' complaint; and
18

19 (2) All parties agree that the plaintiffs shall have to and through November 9, 2012 to
20 file an opposition to any and all Motions to Dismiss filed by the defendants; and
21

22 (3) Any reply papers in response to plaintiffs' oppositions shall be filed no later than
23 December 7, 2012;

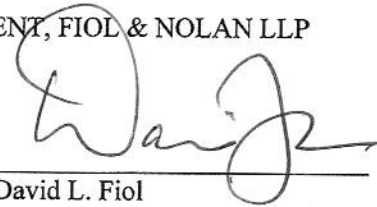
24 (4) Both motions shall be heard on Thursday, January 10 at 10:00 a.m.; and

25 (5) In light of the fact that the dispositive motions filed or to be filed by the
26 defendants will not be resolved prior to November 1, 2012, the date currently set for the initial
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case management conference and all other deadlines and dates set by the Court's ORDER
SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES should
be and are vacated and will be reset if necessary, after the dispositive motions are decided by the
Court.

Dated: October 1, 2012

BRENT, FIOI & NOLAN LLP

By: _____
David L. Fiol
Attorneys for Plaintiffs Frary and Ball

Dated: October 1, 2012

BONNER & BONNER

By: _____
A. Cabral Bonner
Attorneys for Plaintiff Howard

Dated: September ____, 2012

BERTRAND, FOX & ELLIOT
By: _____
Thomas F. Bertrand
*Attorneys for Defendants City Of Novato,
Kreins, Mackenzie, Dunn and Commisto*

Dated: September ____, 2012

MARIN COUNTY COUNSEL
By: _____
Steven M. Perl, Deputy
*Attorneys for defendants County of Marin,
Doyle and Hammer*

1 case management conference and all other deadlines and dates set by the Court's ORDER
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5 Dated: September ____, 2012

BRENT, FIOL & NOLAN LLP

8 By: _____
David L. Fiol
Attorneys for Plaintiffs Frary and Ball

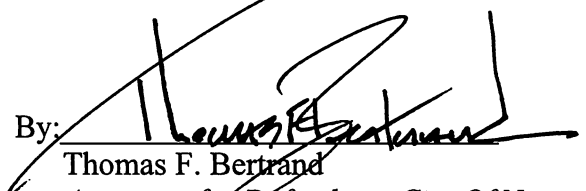
10 Dated: September ____, 2012

BONNER & BONNER

13 By: _____
A. Cabral Bonner
Attorneys for Plaintiff Howard

15 Dated: September 24, 2012

BERTRAND, FOX & ELLIOT

18 By: 
Thomas F. Bertrand
Attorneys for Defendants City Of Novato,
Kreins, Mackenzie, Dunn and Commisto

21 Dated: September ____, 2012

MARIN COUNTY COUNSEL

23 By: _____
Steven M. Perl, Deputy
Attorneys for defendants County of Marin,
Doyle and Hammer

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2 SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES should
3 be and are vacated and will be reset if necessary, after the dispositive motions are decided by the
4 Court.

5 Dated: September ____, 2012

BRENT, FIOLE & NOLAN LLP

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7
8 By: _____
David L. Fiol
Attorneys for Plaintiffs Frary and Ball

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10 Dated: September ____, 2012

BONNER & BONNER

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13 By: _____
A. Cabral Bonner
Attorneys for Plaintiff Howard

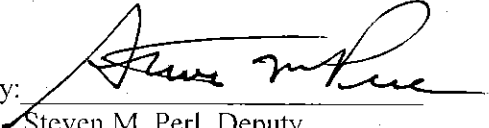
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15 Dated: September ____, 2012

BERTRAND, FOX & ELLIOT

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18 By: _____
Thomas F. Bertrand
Attorneys for Defendants City Of Novato,
Kreins, Mackenzie, Dunn and Commisto

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20 Dated: September 28, 2012

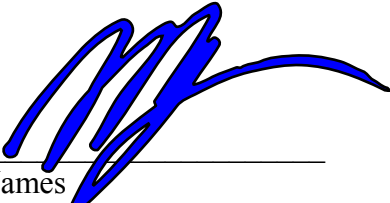
MARIN COUNTY COUNSEL

21
22
23 By: 
Steven M. Perl, Deputy
Attorneys for defendants County of Marin,
Doyle and Hammer

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PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: October 2, 2012



Hon. Maria-Elena James
Chief United States Magistrate Judge