

1 William C. Johnson (State Bar No. 85224)  
 BENNETT & JOHNSON, LLP  
 2 1901 Harrison Street, Suite 1600  
 Oakland, California 94612  
 3 Telephone: (510) 444-5020  
 Facsimile: (510) 835-4260  
 4 Email: william@bennettjohnsonlaw.com

5 Attorneys for Plaintiff  
 LUIS ALEJANDRE

7 UNITED STATES DISTRICT COURT  
 8 NORTHERN DISTRICT OF CALIFORNIA

10 LUIS ALEJANDRE,

11 Plaintiff,

12 v.

13 CITY OF NAPA, NAPA POLICE OFFICER  
 THOMAS KEENER, and DOES 1 through 20,  
 14 inclusive,

15 Defendants..

Case No. C12-4985 JCS

**STIPULATION AND ~~PROPOSED~~ ORDER  
 MOVING SETTLEMENT CONFERENCE  
 DATE**

**DATE: February 6, 2014**

**TIME: 9:00 a.m.**

**COURTROOM: A, 15<sup>th</sup> Floor**

17 At the Further Case Management Conference held on November 15, 2013 before Judge Joseph C.  
 18 Spero, the case was referred to Magistrate Judge ~~Nathanael~~ Nathanael Cousins for a Settlement Conference. On  
 19 December 19, 2013, by Clerk's Notice, the Settlement Conference was continued from January 10, 2014  
 20 at 9:30 a.m. in Courtroom A to February 6, 2014 at 9:30 a.m. in Courtroom A, before Magistrate Judge  
 21 Nathaneal Cousins.

22 The parties have jointly retained a forensic pathologist, Dr. Judy Metinek, to analyze evidence in  
 23 this case. Dr. Metinek has not yet completed her evaluation, and the parties would prefer to have the  
 24 results of Dr. Metinek's findings prior to the Mandatory Settlement Conference.

25 The parties have met and conferred and agree to a continuance of the Mandatory Settlement  
 26 Conference from Thursday, February 6, 2014 at 9:30 a.m. to **March 11, 2014 at 1:00 p.m.** in  
 27 **Courtroom A.**

28 Based on this good cause the parties, acting by and through their respective legal counsel,

1 stipulate and request that the Court order the stipulation of the parties and that the Settlement Conference  
2 date be continued from February 6, 2014 at 9:30 a.m. to **March 11, 2014 at 1:00 p.m. in Courtroom A.**  
3 Parties must submit settlement conference statements no later than **March 4, 2014.**

4 SO STIPULATED.

5 DATED: January 28, 2014

BENNETT & JOHNSON, LLP

6  
7 By: /s/William C. Johnson  
8 WILLIAM C. JOHNSON  
9 Attorneys for the Plaintiff  
10 LUIS ALEJANDRE

11 DATED: January \_\_, 2014

BERTRAND, FOX & ELLIOT

12 By: /s/Gregory M. Fox  
13 GREGORY M. FOX  
14 Attorneys for the Defendants  
15 CITY OF NAPA and NAPA POLICE  
16 OFFICER THOMAS KEENER

17 **ATTORNEY ATTESTATION**

18 I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
19 conformed signature (“/s/”) within this E-filed document.

20 Dated: January \_\_, 2014

21 /s/  
22 WILLIAM C. JOHNSON

23 **ORDER**

24 Having considered the stipulated request of the parties, and good cause appearing the Court  
25 orders as follows:

26 The Settlement Conference date will be continued to **March 11, 2014 at 1:00 p.m. in**  
27 **Courtroom A.** Parties must submit Settlement Conference statements no later than **March 4, 2014.**

28 IT IS SO ORDERED.

DATED: January 29, 2014

THE UNITED STATES DISTRICT COURT  
JUDGE NATHANAELE M. COUSINS  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
GRANTED  
*Nathanael M. Cousins*  
Judge Nathanael M. Cousins