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5  
6 Attorneys for Defendants TOWN OF HILLSBOROUGH (sued herein as City of Hillsborough);  
7 PATRICK SEAN AHERNE (sued herein as SERGEANT AHERNE); MATT O'CONNOR (sued  
herein as former HILLSBOROUGH POLICE CHIEF MATT O'CONNOR); and STEVEN  
THARP (sued herein as HILLSBOROUGH POLICE OFFICER THARP)

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10 UNITED STATES DISTRICT COURT  
11  
12 NORTHERN DISTRICT OF CALIFORNIA

13 JERROLD ROSENBLATT,  
14 Plaintiff,

15 v.

16 CITY OF HILLSBOROUGH, former  
17 HILLSBOROUGH POLICE CHIEF MATT  
18 O'CONNOR, HILLSBOROUGH POLICE  
19 SERGEANT AHERNE,  
20 HILLSBOROUGH POLICE OFFICER  
21 THARP, and DOES 1 through 10,

22 Defendants.

23 CASE NO.: C12-5210 LB

24 **JOINT CASE MANAGEMENT  
25 CONFERENCE STATEMENT :  
ORDER**

Complaint filed: October 9, 2012

Date: May 2, 2013

Time: 11:00 A.M.

Ctrm: C, 15th Floor, US District Court  
450 Golden Gate Avenue  
San Francisco

Honorable Magistrate Judge Laurel Beeler

26 Plaintiff JERROLD ROSENBLATT and Defendants TOWN OF HILLSBOROUGH (sued  
27 herein as City of Hillsborough); PATRICK SEAN AHERNE (sued herein as SERGEANT AHERNE);  
28 MATT O'CONNOR (sued herein as former HILLSBOROUGH POLICE CHIEF MATT  
O'CONNOR); and STEVEN THARP (sued herein as HILLSBOROUGH POLICE OFFICER  
THARP), in the above-entitled action jointly submit this Case Management Statement (with updated  
information only per Civil Minute Order of January 17, 2013).

1. Jurisdiction and Service:

No change since last Case Management Conference.

1 2. Facts:  
2 No change since last Case Management Conference.

3 3. Legal Issues:  
4 No change since last Case Management Conference.

5 4. Motions:  
6 No change since last Case Management Conference.

7 5. Amendment of Pleadings:  
8 Plaintiff will amend the complaint to correctly identify the defendants, as set forth herein.  
9 Defendants will not oppose these amendments.

10 6. Evidence Preservation:  
11 No change since last Case Management Conference.

12 7. Disclosures:  
13 Defendants and Plaintiff made initial disclosures on January 14, 2013 and January 9, 2013  
14 respectively. Defendants anticipate supplemental disclosures on or about May 2, 2013.

15 8. Discovery:  
16 The parties have agreed to proceed with Discovery pursuant to the Local Rules and Federal  
17 Rules of Civil Procedure.  
18 Defendants have taken the depositions of Plaintiff, Jerrold Rosenblatt; Plaintiff=s wife, Carol  
19 Rosenblatt; and witness David Schwartz. Defendants do not anticipate taking any further depositions  
20 apart from experts. Plaintiff has taken the depositions of Defendants Aherne and Tharp and witness  
21 David Young. Plaintiff anticipates deposing Defendant Matt O'Connor as well as the person most  
22 knowledgeable about Defendants' Taser policies and procedures, and any defense experts.  
23 There are currently no discovery disputes pending between the parties.

24 9. Class Actions:  
25 No change since last Case Management Conference.

26 10. Related Cases:  
27 No change since last Case Management Conference.

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11. Relief:

2 No change since last Case Management Conference.

3. Settlement and ADR:

4 The parties had previously agreed to proceed with private mediation and had scheduled an all-  
5 day mediation with retired San Mateo County Superior Court Judge Margaret Kemp for April 29,  
6 2013. The Court granted the parties until May 1, 2013 to complete private mediation. Since that time  
7 Judge Kemp has sustained a broken leg and is unable to handle the mediation. The parties have agreed  
8 to mediation with Retired Magistrate Judge of the Northern District of California James Larson. The  
9 parties are currently in the process of scheduling the mediation for some date in May of 2013. The  
10 Parties request that the Court grant an extension of time to complete mediation.

11. Consent to Magistrate Judge For All Purposes:

12 No change since last Case Management Conference.

13. Other References:

14 No change since last Case Management Conference.

15. Narrowing of Issues:

16 No change since last Case Management Conference.

17. Expedited Schedule:

18 No change since last Case Management Conference.

19. Scheduling:

20 The parties schedule per Court's order:

21 Non-expert discovery completion date: July 12, 2013

22 Experts Disclosure: July 12, 2013

23 Rebuttal expert disclosures: July 31, 2013

24 Expert Discovery cut-off: September 5, 2013

25 Last hearing date for dispositive motions: November 7, 2013

26 Meet and confer re pretrial filings: November 26, 2013

27 Pretrial filings due: December 5, 2013

## Oppositions, Objections, Exhibits, and Depo Designation: December 12, 2013

Pretrial conference: January 9, 2014

Jury trial: January 27, 2014

18. Trial:

No change since last Case Management Conference.

19. Disclosure of Non-party Interested Entities or Persons:

No change since last Case Management Conference.

## 20. Other Matters:

No change since last Case Management Conference.

Dated: April 24, 2013

## CASPER, MEADOWS, SCHWARTZ & COOK

/s/ Andrew Schwartz

By -

Andrew Schwartz  
Attorney for Plaintiff  
JERROLD ROSENBLATT

Dated: April 24, 2013

CLAPP, MORONEY, BELLAGAMBA,  
VUCINICH, BEEMAN AND SCHELEY

/s/ Jeffrey M. Vucinich

By -

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Jeffrey M. Vucinich  
Attorneys for Defendants  
TOWN OF HILLSBOROUGH (sued herein  
as City of Hillsborough); PATRICK SEAN  
AHERNE (sued herein as SERGEANT  
AHERNE); MATT O'CONNOR (sued herein  
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MATT O'CONNOR); and STEVEN THARP  
(sued herein as HILLSBOROUGH POLICE  
OFFICER THARP)

Mediation deadline extended to May 31, 2013.

The Case Management Conference is reset to June 6, 2013 at 11:00 a.m. A Joint Case Management Conference Statement (with updated information only) due May 30, 2013.

The Case Management Conference on May 2, 2013 at 11:00 a.m. is VACATED.  
Date: April 30, 2013

