

1 **Sanjay S. Schmidt SBN 247475**
 2 **LAW OFFICE OF SANJAY S. SCHMIDT**
 3 1686 Second St., Suite 219
 4 Livermore, California 94550
 5 Ofc. Phone: (925) 215-7733
 6 Facsimile: (925) 455-2486
 7 e-mail: sanjay.schmidt@gmail.com

8 **Joseph S. May SBN 245924**
 9 **LAW OFFICE OF JOSEPH S. MAY**
 10 22 Battery Street, Suite 810
 11 San Francisco, CA 94111
 12 Telephone: (415) 781-3333
 13 Facsimile: (415) 398-1410
 14 e-mail: joseph@josephmaylaw.com

15 Attorneys for Plaintiffs
 16 LILAY INC., KEBRON DANIEL, and PEARL MICHELLE MOYA

17 **UNITED STATES DISTRICT COURT**
 18 **NORTHERN DISTRICT OF CALIFORNIA**

19 **KEBRON DANIEL, LILAY INC., and**)
 20 **PEARL MICHELLE MOYA**)
 21 Plaintiffs,)
 22 vs.)
 23 **CITY OF ANTIOCH, a municipal**)
 24 **corporation, ANTIOCH POLICE**)
 25 **OFFICERS Devany Dee, Individually, Rick**)
 26 **Smith, Individually, John Fortner,**)
 27 **Individually, and Nahleen Cloninger,**)
 28 **Individually, and DOES 1 THROUGH 30,**)
 29 **Jointly and Severally,**)
 30 Defendants.)

31 **Case No. CV 13-01084 MMC**
 32 **STIPULATION AND [PROPOSED]**
 33 **ORDER TO CONTINUE CASE**
 34 **MANAGEMENT CONFERENCE FOR**
 35 **SAME DATE AS HEARING ON**
 36 **MOTION TO DISMISS**

37 **ORDER CONTINUING CASE**
 38 **MANAGEMENT CONFERENCE TO**
 39 **OCTOBER 25, 2013**

40 This matter is current scheduled for a Case Management Conference, to be held on
 41 Friday September 13, 2013. Defendants’ Motion to Dismiss the SAC is scheduled to be heard on
 42 Friday September 27, 2013. The parties respectfully request and stipulate that the Court continue
 43 by Order the Case Management Conference to the same date as the hearing on the Defendants’

1 Motion to Dismiss, which would be a more efficient use of the Court's time and that of the
2 parties.

3 In compliance with the applicable General Order, the filing party attests that all
4 signatories below concur in the filing and submission of this Stipulation.

5 Dated: September 5, 2013

Respectfully Submitted,

6 **LAW OFFICE OF SANJAY S. SCHMIDT**
7 **and**
8 **LAW OFFICE OF JOSEPH S. MAY**

9 */s/ Sanjay S. Schmidt*

By: SANJAY S. SCHMIDT
Attorneys for Plaintiffs

11 Dated: September 5, 2013

Respectfully Submitted,

12 **BERTRAND, FOX & ELLIOT**

13 */s/ Gregory M. Fox*


14 By: GREGORY M. FOX
15 Attorneys for Defendants

16
17 **ORDER**

18 Good cause appearing, the CMC now scheduled for Friday September 13, 2013 is hereby
19 continued to Friday ~~September 27, 2013, to be heard along with the Defendants' Motion to~~
20 ~~Dismiss the SAC.~~ A joint CMC statement shall be filed by the parties by Friday ~~September 20,~~
21 ~~2013.~~ October 18, 2013.

22
23 **IT IS SO ORDERED.**

24 DATED: September 6, 2013

25 
26 HON. MAXINE M. CHESNEY
27 United States District Judge