

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3 STEVEN MENGEL, et al

4 Plaintiffs,

5 v.

6 CITY OF SAN LEANDRO et al

7 Defendants.

Case No. 3:13-cv-02542-WHO

**STIPULATION EXTENDING DATE FOR CMC
AND CHANGING HEARING DATE ON
MOTION TO DISMISS AND BRIEFING
SCHEDULE**

Honorable William H. Orrick

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10 Plaintiffs filed their Complaint on June 18, 2013 contending they were arrested without probable
11 cause. The defendant City of San Leandro filed a Motion to Dismiss on July 23, 2013 with a hearing
12 date of September 4, 2013. The Court then scheduled the initial Case Management Conference for
13 September 4, 2013 with a joint case management conference statement to be filed August 28, 2013.

14 The parties have immediately begun meeting and conferring on the issues raised in the Complaint
15 and may attempt an early resolution of the case given the cooperative exchange of case authority and
16 facts of the case that has already taken place. Attorney for the defendant City of San Leandro will be out
17 of the country with his family from August 16, 2013 until Monday September 2, 2013. To facilitate the
18 ongoing negotiations between the parties, as well as to comply with the current deadlines, more time is
19 necessary. The parties agree a continuance of the current briefing schedule, hearing date on the motion
20 to dismiss and preparation of the joint case management conference statement and case management
21 conference will facilitate a possible early resolution of the case and accommodate Mr. Fox's travel
22 schedule. Based on this good cause the parties therefore respectfully stipulate as follows:

23 The Case Management Conference and hearing on the Motion to Dismiss be continued from
24 Wednesday September 4 to Wednesday October 16th, 2013.

25 A joint case management conference statement to be filed on or before Wednesday October 9,
26 2013. At the case management conference on October 16, 2013 the date for Rule 26 disclosures of
27 parties and witnesses will be scheduled by the Court along with all other pre-trial and trial dates and the
28 ADR process the parties will attend.

