

MICHAEL S. BURKE - BAR #150062
CORIE A. EDWARDS - BAR #184042
VOGL MEREDITH BURKE LLP
456 Montgomery Street, 20th Floor
San Francisco, CA 94014
Telephone: 415/398-0200
Facsimile: 415/398-2920

Attorneys for Defendants
THE NEWARK CHAMBER OF COMMERCE,
A California Corporation, erroneously sued herein as
NEWARK CHAMBER OF COMMERCE; and
LINDA ASHLEY

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN PATRICK HENNEBERRY
Plaintiff,

Case No. C13-5238 MEJ

v.

STIPULATION AND
~~[PROPOSED]~~ ORDER RE:
ATTENDANCE AT SETTLEMENT
CONFERENCE

[ADR LOCAL RULE 7.4]

CITY OF NEWARK,
COUNTY OF ALAMEDA,
NEWARK CHAMBER OF COMMERCE,
LINDA ASHLEY,
JOHN BECKER,
DAVID BENOUN,
KARL FREDSTROM,
RENNY LAWSON, AND
DOES 1 THROUGH 250.

DATE: DECEMBER 16, 2014
TIME: 10:00 A.M.
COURTROOM: C - 15TH FLOOR
HON. MAGISTRATE JUDGE LAUREL BEELER
COMPLAINT FILED: NOVEMBER 12, 2013

Defendants.

1 THE PARTIES TO THE ABOVE-REFERENCED LITIGATION HEREBY
2 STIPULATE AND AGREE AS FOLLOWS:

3 1. A voluntary settlement conference shall be conducted before Magistrate Laurel
4 Beeler, on December 15, 2014 at 10:30 a.m.
5 Beeler, on December 16, 2014, at ~~10:00 a.m.~~

6 2. Initial Disclosures, as contemplated by Federal Rule of Civil Procedure section 26,
7 shall be served on or before close of business on Monday, December 1, 2014.

8 3. Pursuant to ADR Local Rules 7-4, it will be a substantial hardship for some of the
9 principals to attend the settlement conference in person. Therefore, the parties agree that some of
10 their principals and/or insurance carrier representatives may attend the settlement conference by
11 telephone.

12 4. The parties anticipate that the following individuals shall attend the settlement
13 conference on their behalf:

14 a. Plaintiff John Henneberry:

15 i. John Henneberry; and

16 ii. Yolanda Huang, Esq.

17 b. Defendants City of Newark and individually named Defendants Becker,
18 Benoun, Fredstrom, and Lawson:

19 i. David Benoun, Newark City Attorney;

20 ii. Cynthia Gordon on behalf of Association of Bay Area
21 Governments; and

22 iii. Gregg A. Thornton, Esq., Selman Breitman LLP.

23 c. Defendant County of Alameda:

24 i. Kenneth R. Maiolini, Risk Management Services, Inc.;

25 ii. Janette Brook, Liability Analyst for the County's Risk Management
26 Unit; and

27 iii. Sgt. David Vandagriff, Civil Litigation Manager for the Alameda
28 County Sheriff's Office.

iv. Gregory Ahern, Alameda County Sheriff/Coroner will be available

1 by telephone.

2 v. Gregory J. Rockwell, Esq., Boornazian, Jensen & Garthe.

3 d. Defendants The Newark Chamber of Commerce and individually-named
4 Defendant Linda Ashley:

5 e. Linda Ashley, former President of The Newark Chamber of
6 Commerce;

7 f. Valerie Boyle, President of The Newark Chamber of Commerce, by
8 telephone until 3:00 p.m.;

9 g. Chris Hemsley, United States Liability Insurance Group
10 (Wayne, Pennsylvania), by telephone;

11 h. Michael S. Burke, Esq., Vogl Meredith Burke LLP.

12 5. Pursuant to ADR Local Rule 7-4, irrespective of whether the party representatives
13 attend the settlement conference in person or by telephone, each person who attends the
14 settlement conference on behalf of a party shall be thoroughly familiar with the case and shall
15 have authority to negotiate a settlement.

16 6. Written settlement conference statements shall be submitted directly with the
17 settlement judge, and shall not be filed with the Court, pursuant to ADR Local Rule 7-4. Such
18 statements shall be served and lodged on or before December 2, 2014.

19 IT IS SO STIPULATED.

20 Dated: December 4, 2014

LAW OFFICES OF YOLANDA HUANG

21
22 /s/ Yolanda Huang
YOLANDA HUANG
23 Attorney for Plaintiff
24 JOHN HENNEBERRY

25
26 [SIGNATURES CONTINUE ON FOLLOWING PAGE]
27
28

1 Dated: December 4, 2014

SELMAN BREITMAN LLP

2
3 /s/ Gregg A. Thornton
4 GREGG A. THORNTON
5 DANIELLE K. LEWIS
6 Attorneys for Defendants
7 CITY OF NEWARK,
8 JOHN BECKER, DAVID BENOUN,
9 KARL FREDSTROM, and RENNY
10 LAWSON

11 Dated: December 4, 2014

BOORNAZIAN, JENSEN & GARTHE

12 /s/ Gregory J. Rockwell
13 GREGORY J. ROCKWELL
14 JILL P. SAZAMA
15 Attorneys for Defendants
16 COUNTY OF ALAMEDA

17 Dated: December 4, 2014


VOGL MEREDITH BURKE LLP

18 /s/ Michael S. Burke
19 MICHAEL S. BURKE
20 CORIE A. EDWARDS
21 Attorneys for Defendants
22 THE NEWARK CHAMBER OF
23 COMMERCE, A California Corporation,
24 erroneously sued herein as NEWARK
25 CHAMBER OF COMMERCE; and
26 LINDA ASHLEY

27 IT IS SO ORDERED.

28 Dated: December 4, 2014

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF
CALIFORNIA

29 
30 THE HONORABLE LAUREL BEELER
31 Magistrate Judge