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 8 COUNTY OF CONTRA COSTA

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12 CHRISTOPHER JONES,
 13 Plaintiff,

14 v.

15 COUNTY OF CONTRA COSTA
 16 (CALIFORNIA) a municipality, SHAWN
 WELCH, individually and as Deputy Sheriff
 17 of Contra Costa County Sheriff's Office,
 SEAN BIRTCIL, individually and as
 18 Deputy Sheriff of Contra Costa County
 Sheriff's Office, and DOES 1 through 50,
 19 inclusive,

20 Defendants.

No. C13-05552 TEH

STIPULATION AND [~~PROPOSED~~]
 ORDER REGARDING HEARING DATE
 ON DEFENDANT'S MOTION TO
 DISMISS (Docket No. 17)

Crtrm: 2, 17th Floor
 Judge: Hon. Thelton E. Henderson
 Date Action Filed: December 2, 2013
 Trial Date: None Assigned

21 Pursuant to this Court's Order issued on February 22, 2016, *see* ECF Doc. No. 33,
 22 Plaintiff CHRISTOPHER JONES, by and through his attorney of record, Daniel T.
 23 Pocklington of the Pocklington Law Offices, and Defendant COUNTY OF CONTRA
 24 COSTA, by and through its attorney of record, Deputy County Counsel Nima E. Sohi of the
 25 Contra Costa County Counsel's Office, hereby file this stipulation for an order setting the
 26 hearing date on Defendant County of Contra Costa's motion to dismiss Plaintiff's First
 27 Amended Complaint. *See* ECF Doc. No. 17.

28 STIPULATION AND [PROPOSED] ORDER RE HEARING DATE ON
 MOTION TO DISMISS (DOCKET NO. 17) – Case No. C13-05552 TEH

1 **RECITALS**

2 WHEREAS on December 2, 2013, Plaintiff filed a Complaint alleging violations of his
3 civil rights pursuant to 42 U.S.C. § 1983, and state law causes of action under California law.

4 WHEREAS on January 16, 2014, Plaintiff filed a First Amended Complaint, alleging
5 violations of his civil rights pursuant to 42 U.S.C. § 1983, and state law causes of action under
6 California law. *See* ECF Doc. No. 14.

7 WHEREAS on January 30, 2014, Defendant County of Contra Costa filed a motion to
8 dismiss the First Amended Complaint, or in the alternative to stay the action pending the
9 conclusion of Plaintiff’s state court criminal matter. *See* ECF Doc. No. 17.

10 WHEREAS on April 11, 2014, this Court issued a stay of this action pending resolution
11 of Plaintiff’s state court criminal case, and deferred ruling on Defendant’s arguments
12 regarding dismissal. *See* ECF Doc. No. 29.

13 WHEREAS on February 22, 2016, this Court issued an Order lifting the stay of this
14 action, and requested that the parties file a stipulation setting forth proposed hearing dates on
15 Defendant’s pending motion to dismiss. *See* ECF Doc. No. 33.

16 WHEREAS the parties, through counsel, have met and conferred and stipulate to a
17 proposed hearing date of Monday April 11, 2016, on Defendant’s motion to dismiss, at 10
18 a.m., in Courtroom 2, 17th Floor, in the above-entitled court, located at 450 Golden Gate
19 Avenue, San Francisco, California. In the alternative, if April 11, 2016, is not convenient for
20 the Court, the parties propose Monday April 25, 2016, at 10 a.m. for the hearing. All briefing
21 has been completed on the motion to dismiss.

22 **STIPULATION**

23 The parties hereby stipulate that the hearing on Defendant’s motion to dismiss
24 Plaintiff’s First Amended Complaint (Doc. No. 17), will be held on Monday April 11, 2016, at
25 10 a.m. In the alternative, the parties stipulate to a hearing on Monday April 25, 2016, at 10
26 a.m.

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1 DATED: February 26, 2016

POCKLINGTON LAW OFFICES

2
3 By: /s/ Daniel T. Pocklington
4 DANIEL T. POCKLINGTON
5 Attorneys for Plaintiff

6 DATED: February 26, 2016

SHARON L. ANDERSON
COUNTY COUNSEL

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8 By: /s/ Nima E. Sohi
9 NIMA E. SOHI
10 Deputy County Counsel
11 Attorneys for Defendant
12 COUNTY OF CONTRA COSTA

13 **ATTORNEY ATTESTATION**

14 I hereby attest that I have authorization from all of the above-named counsel to E-file
15 this statement, and this authority is reflected by the conformed signature (“/s/”) within this E-
16 filed document.

17 DATED: February 26, 2016

SHARON L. ANDERSON
COUNTY COUNSEL

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19 By: /s/ Nima E. Sohi
20 NIMA E. SOHI
21 Deputy County Counsel
22 Attorneys for Defendant
23 COUNTY OF CONTRA COSTA
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[PROPOSED] ORDER

1
2 Having considered the stipulation filed by the parties, and good cause appearing, the
3 Court hereby orders that the hearing on Defendant County of Contra Costa's pending motion
4 to dismiss will be held on Monday April 11, 2016, at 10 a.m.

5
6 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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8 DATED: 02/29/2016


9 HON. THELTON E. HENDERSON
United States District Court Judge