

1 CAROLINE L. FOWLER, City Attorney (SBN 110313)
 2 ROBERT L. JACKSON, Assistant City Attorney (SBN 101770)
 3 City of Santa Rosa
 4 100 Santa Rosa Avenue, Room 8
 5 Santa Rosa, California 95404
 6 Telephone: (707) 543-3040
 7 Facsimile: (707) 543-3055

8 Attorneys for Defendants City of Santa Rosa
 9 and Michael Clark

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 11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**

13 KYLE DAVID BIEDMA,

Case No. C 14-02853 RS

14 Plaintiff,

**STIPULATION AND ORDER RE
 CASE MANAGEMENT**

15 v.

16 MICHAEL CLARK, an individual; CITY OF
 17 SANTA ROSA, a municipal entity; and
 18 DOES 1 through 20, inclusive,

19 Defendants.

Trial Date: 2/29/16
 Judge: The Hon. Richard Seeborg

20 This Joint Stipulation to Modify the Court’s Case Management Scheduling Order is
 21 submitted by all parties to this action. Said parties respectfully request that the Court modify its Case
 22 Management Scheduling Order of May 14, 2015 to provide for a new date for exchange and filing
 23 of a Joint Pre-trial Statement, motions in limine, proposed voir dire questions, and jury instructions.

RECITALS

24 A. On May 14, 2015, the Court issued its Case Management Scheduling Order
 25 providing for a trial date of February 29, 2016. In that Order the Court set a Pretrial
 26 Conference for February 11, 2016.

27 B. As per the Court’s “GUIDELINES FOR FINAL PRETRIAL CONFERENCE IN
 28 JURY CASES”, the parties are currently required to exchange exhibits, lodge with

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the court a Joint Pretrial Statement, file and serve motions in limine on or before Monday February 1, 2016, and to file proposed voir dire questions, jury instructions, verdict forms and oppositions to motions in limine on or before Friday, February 5, 2016.

C. On January 21, 2016, the Court referred this matter for a Mandatory Settlement Conference before Magistrate Jacqueline Scott Corley. That Mandatory Settlement Conference is now scheduled for Monday, February 1, 2016.

D. The parties intend to engage in good faith settlement discussions and are optimistic that, with Magistrate Corley’s assistance, this matter may be resolved by way of settlement.

E. With the Court’s permission, the parties respectfully request that the pretrial deadlines set forth in the Court’s initial Case Management Scheduling Order and the Court’s Standing Order and Guidelines be extended for a short period of time after the Mandatory Settlement Conference, but in advance of the Pretrial Conference so that the parties may devote their time and attention to efforts to resolve the case and avoid incurring the time and expense of pretrial preparation if, in fact, a settlement can be reached.

NOW THEREFORE, the parties respectfully stipulate and request that the Court order that

- (1) the last day for the parties to exchange exhibits, lodge with the court a Joint Pretrial Statement, file and serve motions in limine shall be continued from February 1, 2016 until February 4, 2016;
- (2) the last day for filing proposed voir dire questions, jury instructions, verdict forms and oppositions to motions in limine be continued from Friday, February 5, 2016 until Tuesday, February 9, 2016.
- (3) the Pretrial Conference shall remain as scheduled on February 11, 2016 and all other

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pretrial deadlines shall remain in place.

DATED: January 21, 2016

_____/s/
REX GRADY
Attorney for Plaintiff Kyle David Biedma

DATED: January 21, 2016

_____/s/
ROBERT L. JACKSON
Assistant City Attorney
Attorney for Defendants City of Santa
Rosa and Michael Clark

IT IS SO ORDERED.

DATED: 1/25/16



The Honorable Richard Seeborg
United States District Court Judge