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12 Attorneys for Plaintiff

13
14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 JOSEPH JAMES GREER

17 Plaintiff,

18 v.

19 CITY OF HAYWARD, BAY AREA RAPID
20 TRANSIT DISTRICT et al.,

21 Defendants.

CASE NO. 3:15-cv-02307-WHO

JOINT STIPULATION RE: SCHEDULING
OF MOTIONS FOR SUMMARY
JUDGEMENT

22 WHEREAS, the above-referenced case is set for trial on April 10, 2016;
23 WHEREAS, the parties have a mediation set for October 26, 2016;
24 WHEREAS, the parties have essentially completed fact discovery;
25 WHEREAS, the parties agree that the mediation presents a helpful opportunity to resolve
26 the case but do not want to waive their right to bring Motions for Summary Judgment if the
27 matter does not resolve at mediation;
28

STIPULATION RE: SCHEDULING OF MOTIONS FOR SUMMARY JUDGMENT; 1
PROPOSED ORDER

1 WHEREAS the current court order requires Motions for Summary Judgment to be filed
2 no later than November 2, 2016;

3 The parties request that the court amend the current order to allow for the mediation to
4 proceed as scheduled and, should they be desired, Motions for Summary Judgment may be filed
5 up until February 14, 2017.

6 THEREFORE, the parties, by and through their respective attorneys of record, hereby jointly
7 stipulate and request that the Court make the following orders:

- 8 1. The parties are to maintain the current mediation set for October 26, 2016;
9 2. The time to file Motions for Summary Judgment is extended until February 14, 2017.

10
11 **IT IS SO STIPULATED**

12
13 Dated: October 10, 2016

14 THE HALEY LAW OFFICES

15 By: _____/s/
16 MATTHEW D. HALEY
17 Attorneys for Plaintiff DAVID DUTCHER

18 Dated: October 10, 2016

GILBERT, KELLY, CROWLEY & JENNETT LLP

19 By: _____/s/
20 OWEN ROONEY
21 Attorneys for Defendant BAY AREA RAPID
22 TRANSIT and JON TOUGAS

23 Dated: October 10, 2016 CLAPP, MARONEY, VUCINICH, BEEMAN & SCHELEY

24 By: _____/s/
25 JEFFREY M. VUCINICH
26 Attorneys for Defendant CITY OF HAYWARD
27 and individual officers _____
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ORDER

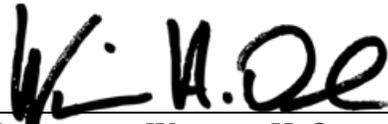
PURSUANT TO THE FOREGOING STIPULATION, THE COURT ORDERS AS FOLLOWS:

- 1. The parties are to maintain the current mediation set for October 26, 2016;
- 2. The time to file Motions for Summary Judgment is extended until **November 30, 2016**, with a hearing on the motions set for **January 4, 2017**.

The parties' proposed schedule would leave insufficient time between the Order on the motions for summary judgment and the pretrial conference. This revised schedule gives the parties more than a month from the mediation to file any motions if the case does not settle, and does not require briefing during the holidays.

IT IS SO ORDERED

Dated: October 11, 2016

By: 
THE HONORABLE WILLIAM H. ORRICK
United States Senior District Judge