WHEREAS, upon reassignment to Senior District Judge Henderson, the Initial Case

Management Conference was rescheduled from September 10, 2015 to October 5, 2015, and the Case

Management Statement due date was continued from September 3, 2015 to September 28, 2015;

WHEREAS, pursuant to the parties' stipulation and this Court's August 26, 2015 order, the parties exchange of initial disclosures and the parties' deadline to file their Rule 26(f) report was moved to September 28, 2015;

WHEREAS, Defendants each filed motions to dismiss Plaintiff's Complaint and the motions were heard in this Court on September 14, 2015;

WHEREAS, the Court has not issued its orders on defendants' motions to dismiss and consequently the pleadings are not settled;

WHEREAS, counsel for plaintiff is unavailable for a Case Management Conference appearance on October 19, 2015 due to a pre-planned out-of-state trip;

WHEREAS, the parties wish to continue the date for initial disclosures, filing the Rule 26(f) report, and filing the Case Management Conference statement to October 19, 2015, and wish to continue the Case Management Conference to October 26, 2015 to allow for more clarity on the pleadings;

IT IS HEREBY STIPULATED AS FOLLOWS:

- 1. The deadline to exchange initial disclosures is continued to October 19, 2015;
- 2. The deadline to file the Rule 26(f) report is continued to October 19, 2015;
- The deadline to file the Case Management Conference statement is continued to October 19, 2015; and
- 4. The Case Management Conference is continued to October 26, 2015.

MARK S. COON, City Attorney

Date: September 24, 2015

By:

Joshua K. Clendenin, Assistant City Attorney,
Attorneys for Defendants CITY OF CONCORD
and CITY OF CONCORD POLICE CHIEF
GUY SWANGER

Judge Thelton E. Henderson