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# UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO

JEFFREY A. AMES and SASHA M.  
D'AMICO,

Plaintiffs,

v.

CITY OF NOVATO; LT. OLIVER  
COLLINS, et al.,

Defendants.

Case No.: 3:16-cv-02590-JST

Complaint Filed: May 13, 2016  
FAC Filed: May 16, 2016

**STIPULATION AND [PROPOSED] ORDER  
TO CONTINUE THE DEADLINE FOR  
COMPLETION OF ADR PROCESS**

1 Plaintiffs Jeffrey Ames and Sasha D'Amico ("Plaintiffs") and Defendants City of Novato  
2 and Lt. Oliver Collins (collectively, "Defendants"), by and through their respective counsel of  
3 record, hereby stipulate as follows for consideration and approval by the Court:

- 4 A. WHEREAS, Plaintiffs filed a First Amended Complaint for Damages on May 16,  
5 2016 and served Defendants on May 20, 2016;
- 6 B. WHEREAS, on May 31, 2016, the parties agreed and stipulated to extending  
7 Defendants' time to respond to Plaintiffs' First Amended Complaint from June 10,  
8 2016 to July 6, 2016;
- 9 C. WHEREAS, on July 6, 2016, Defendants City of Novato and Lt. Oliver Collins filed a  
10 Motion to Dismiss Portions of Plaintiffs' First Amended Complaint;
- 11 D. WHEREAS, on July 6, 2016, the Court scheduled a Case Management Conference for  
12 September 14, 2016.
- 13 E. WHEREAS, on July 14, 2016, Defendants City of Novato and Lt. Oliver Collins filed  
14 a Motion to Sever Plaintiff D'Amico's Claims into a Separate Action;
- 15 F. WHEREAS, on July 19, 2016, the parties agreed and stipulated, and this Court  
16 approved, that the hearing on Defendants' Motion to Dismiss Portions of Plaintiffs'  
17 First Amended Complaint and Motion to Sever Plaintiff D'Amico's Claims into  
18 Separate Action be continued to September 1, 2016 at 2:00 p.m. and to extend briefing  
19 dates.;
- 20 G. WHEREAS, Fulvio Cajina associated in as co-counsel for Plaintiffs on August 10,  
21 2016;
- 22 H. WHEREAS, on August 31, 2016, the parties agreed and stipulated, and this Court  
23 approved, to continue the case management conference, the deadline for filing the  
24 ADR stipulation/notice for phone conference, and related dates;
- 25 I. WHEREAS, on September 14, 2016, the parties agreed and stipulated to Mediation as  
26 their preferred ADR process;
- 27 J. WHEREAS, on September 19, 2016, this Court approved, and ordered, completion of  
28 Mediation within 90 days of the order, or by December 19, 2016;

1 K. WHEREAS, the parties appeared before the Court at the October 19, 2016, case  
2 management conference, and represented to the court that they have agreed to use a  
3 private mediator who is not available until March 2017. This Court approved the  
4 parties' filing of this stipulation to extend the mediation deadline.

5 NOW THEREFORE, the Plaintiffs and Defendants stipulate, by and through their counsel and  
6 pursuant to Court approval, that:

- 7 1. The continued deadline to complete ADR (mediation) in this matter is on or before  
8 March 31, 2017.

9 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

10 Dated: October 24, 2016

LIEBERT CASSIDY WHITMORE

11 By: /s/ Suzanne Solomon

12 Suzanne Solomon  
13 Arlin Kachalia  
14 Attorneys for Defendants CITY OF  
NOVATO  
and LT. OLIVER COLLINS

15 Dated: October 24, 2016

SHEA LAW OFFICES

16 By: /s/ Mary Shea Hagebols

17 Mary Shea Hagebols  
18 Attorneys for Plaintiffs JEFFREY A. AMES  
and SASHA M. D'AMICO

19 Dated: October 24, 2016

LAW OFFICE OF FULVIO F. CAJINA

20 By: /s/ Fulvio F. Cajina

21 Fulvio F. Cajina  
22 Attorneys for Plaintiffs JEFFREY A. AMES  
and SASHA M. D'AMICO

23 **[PROPOSED] ORDER**

24 1. The parties have agreed to private mediation, and shall to hold the ADR session on  
25 or before March 31, 2017.

26 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

27 Dated: October 24, 2016

28   
The Honorable Jon S. Tigar  
United States District Judge