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9 Attorneys for Defendants  
 10 CITY OF ANTIOCH; RICK SMITH; CHRIS KIDD; CASEY  
 11 BROGDEN; THOMAS SMITH; and BRIAN ROSE

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA

14 C.R., co-successor-in-interest to Decedent  
 15 Rakeem Rucks, by and through his  
 16 Guardian Ad Litem Beverly McIntosh; I.R.,  
 17 co-successor-in-interest to Decedent  
 18 Rakeem Rucks, by and through his  
 19 Guardian Ad Litem Beverly McIntosh;  
 20 R.R., co-successor-in-interest to Decedent  
 21 Rakeem Rucks, by and through his  
 22 Guardian Ad Litem Beverly McIntosh; J.R.,  
 23 co-successor-in-interest to Decedent  
 24 Rakeem Rucks, by and through her  
 25 Guardian Ad Litem Jasmine Williams; and  
 26 Debra Moore, individually,

27 Plaintiffs,

28 vs.

29 CITY OF ANTIOCH, a municipal  
 30 corporation; RICK SMITH, individually  
 31 and in his official capacity as a police  
 32 sergeant for the CITY OF ANTIOCH;  
 33 CHRIS KIDD, individually and in his  
 34 official capacity as a police officer for the  
 35 CITY OF ANTIOCH; CASEY  
 36 BROGDEN, individually and in his official  
 37 capacity as a police officer for the CITY  
 38 OF ANTIOCH; THOMAS SMITH,  
 39 individually and in his official capacity as a  
 40 police officer for the CITY OF ANTIOCH;  
 41 BRIAN ROSE, individually and in his  
 42 official capacity as a police detective with  
 43 the CITY OF ANTIOCH; and DOES 1-50,  
 44 inclusive, individually, jointly and

Case No. C16-03742 JST

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO CONTINUE THE ADR  
 DEADLINE**

Dept: Ctrm 9-19th Flr  
 Judge: Hon. Jon S. Tigar  
 Trial Date: April 2, 2018

McNAMARA, NEY, BEATTY, SLATTERY, BORGES & AMBACHER LLP  
ATTORNEYS AT LAW  
1211 NEWELL AVENUE, WALNUT CREEK, CA 94596  
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1 severally,  
2 Defendants.

3  
4 IT IS HEREBY STIPULATED AND AGREED, by and between the parties to this action,  
5 through their respective counsel of record, as follows:

6 WHEREAS the parties are respectfully requesting that the Court continue the current  
7 ADR deadline for several months, until after the parties have had sufficient time to conduct basic  
8 discovery such as written discovery and some key depositions of parties and/or percipient  
9 witnesses.

10 WHEREAS the ADR deadline in this case is currently set for February 2, 2017, which is  
11 insufficient time for the parties to do basic discovery prior to mediation.

12 WHEREAS the parties are currently in the early stages of discovery in this wrongful death  
13 case and the discovery is expected to be extensive.

14 WHEREAS the parties are in agreement that more time is needed for the exchange of  
15 written discovery and taking depositions.

16 WHEREAS the parties and the assigned mediator are finalizing a potential mediation to  
17 occur the week of May 22<sup>nd</sup>.

18 WHEREAS good cause exists to continue the ADR deadline to May 31, 2017.

19 The parties attest that concurrence in the filing of these documents has been obtained from  
20 each of the other Signatories, which shall serve in lieu of their signatures on the document.

21 **IT IS SO STIPULATED.**

22 JOHN L. BURRIS LAW OFFICES

23  
24 Dated: January 6, 2017

By:                   /s/ Pointer, Adante D.                  

25 John L. Burris  
26 Adante D. Pointer  
27 Lateef H. Gray  
28 Melissa C. Nold  
Attorneys for Plaintiffs

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Dated: January 6, 2017

MCNAMARA, NEY, BEATTY, SLATTERY,  
BORGES & AMBACHER LLP

By: /s/Blechman, Noah  
Noah G. Blechman  
Keren Schlank  
Attorneys for Defendants  
City of Antioch, Rick Smith, Chis Kidd, Casey  
Brogden, Thomas Smith, and Brian Rose

**ORDER**

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

In light of the good cause demonstrated herein, the mediation deadline is hereby continued  
to May 31, 2017.

**IT IS SO ORDERED**

Dated: January 9, 2017

By:   
Honorable Jon S. Tigar  
United States District Judge