

McNAMARA, NEY, BEATTY, SLATTERY, BORGES & AMBACHER LLP  
ATTORNEYS AT LAW  
3480 BUSKIRK AVENUE, SUITE 250, PLEASANT HILL, CA 94523  
TELEPHONE: (925) 939-5330

1 NOAH G. BLECHMAN (State Bar No. 197167)  
noah.blechman@mcnamaralaw.com  
2 CAMEREN N. RIPOLI (State Bar No. 318045)  
cameren.ripoli@mcnamaralaw.com  
3 McNAMARA, NEY, BEATTY, SLATTERY,  
BORGES & AMBACHER LLP  
4 3480 Buskirk Avenue, Suite 250  
Pleasant Hill, CA 94523  
5 Telephone: (925) 939-5330  
Facsimile: (925) 939-0203  
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7 Attorneys for Defendants  
CITY OF ANTIOCH; RICK SMITH; CHRIS KIDD; and  
8 CASEY BROGDEN

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

11  
12 C.R., co-successor-in-interest to Decedent  
13 Rakeem Rucks, by and through his  
Guardian Ad Litem Beverly McIntosh; I.R.,  
14 co-successor-in-interest to Decedent  
Rakeem Rucks, by and through his  
15 Guardian Ad Litem Beverly McIntosh;  
R.R., co-successor-in-interest to Decedent  
16 Rakeem Rucks, by and through his  
Guardian Ad Litem Beverly McIntosh; J.R.,  
17 co-successor-in-interest to Decedent  
Rakeem Rucks, by and through her  
18 Guardian Ad Litem Jasmine Williams; and  
Debra Moore, individually,

19 Plaintiffs,

20 vs.

21 CITY OF ANTIOCH, et al.,

22 Defendants.  
23

Case No. C16-03742 JST

**STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING THE PRETRIAL  
CONFERENCE ONE WEEK TO  
FEBRUARY 15, 2019**

PTC Date: February 8, 2019  
Trial Date: March 4, 2019

24  
25 IT IS HEREBY STIPULATED AND AGREED, by and between the parties to this action,  
26 through their respective counsel of record, as follows:

27 WHEREAS the Court has scheduled the Pretrial Conference in this matter for February 8,  
28 2019, with the trial date set for March 4, 2019 (ECF 64).

STIPULATION AND ~~PROPOSED~~ ORDER  
CONTINUING THE PRETRIAL CONFERENCE -  
C16-03742 JST

1 WHEREAS the parties have agreed to and the Court has ordered that the parties attend a  
2 Settlement Conference with Judge Corley and that is now set for January 14, 2019 (ECF 72).

3 WHEREAS per the current Pretrial Conference date, by January 18, 2019, the parties are  
4 required to meet and confer regarding the preparation of the joint pretrial statement, preparation  
5 and exchange of pretrial materials, exchange propose exhibits and be well underway in terms of  
6 the documents to be served, lodged and filed pursuant to FRCP 26(a)(3), and the narrowing of  
7 contested issues, among the other requirements of the Court per Your Honor's Standing Order for  
8 Civil Jury Trials. Motions in limine are due filed by January 27<sup>th</sup> and jury materials and the Joint  
9 Pretrial Statement are due by January 29<sup>th</sup>. The pretrial preparation in this wrongful death case will  
10 be extensive.

11 WHEREAS in light of the fact that this matter is set for a Settlement Conference on January  
12 14<sup>th</sup>, the parties seek a one week continuance of the Pretrial Conference, from Febraury 8<sup>th</sup> to  
13 February 15<sup>th</sup>, which will also lead to a one week extension of the pretrial filings. This will give  
14 the parties, including the public entity Defendants, a chance to resolve this matter prior to  
15 performing the bulk of the pretrial work prior to the Settlement Conference.

16 WHEREAS, in addition, from January 30<sup>th</sup> through February 2<sup>nd</sup> of 2019, all defense  
17 counsel will be in San Antonio, Texas attending the Defense Research Institute's annual Civil  
18 Rights and Government Liability Seminar, right in the middle of the current pretrial deadlines.

19 WHEREAS both parties agree that a one week extension of the Pretrial Conference would  
20 give the parties adequate time to prepare for and organize the extensive pretrial documents in this  
21 matter, if this matter does not resolve at the Settlement Conference.

22 WHEREAS the trial date of March 4, 2019, will not be changed.

23 WHEREFORE good cause has been shown to continue the Pretrial Conference from  
24 February 8<sup>th</sup> to Friday, February 15, 2019, at 2 pm in Oakland (1301 Clay Street, Oakland, CA  
25 94612)

26 We hereby attest that concurrence in the filing of these documents has been obtained from  
27 each of the other Signatories, which shall serve in lieu of their signatures on the document.

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Dated: December 18, 2018 LAW OFFICES OF JOHN L. BURRIS

By:     /s/ Nold, Melissa      
John L. Burris  
Adante D. Pointer  
Melissa C. Nold  
Attorneys for Plaintiff

Dated: December 18, 2018 MCNAMARA, NEY, BEATTY, SLATTERY,  
BORGES & AMBACHER LLP

By:     /s/ Blechman, Noah      
Noah G. Blechman  
Attorneys for Defendants  
CITY OF ANTIOCH; RICK SMITH; CHRIS KIDD;  
and CASEY BROGDEN

**ORDER**

PURSUANT TO THE PARTIES' STIPULATION, IT IS HEREBY ORDERED AS FOLLOWS:

The Scheduling Order (ECF No. 64) is revised as follows: The pretrial conference is reset to February 15, 2019, at 2:00 p.m. The joint pretrial conference statement is due by February 5, 2019.

IT IS SO ORDERED.

Dated: December 20, 2018

By:   
Hon. Jon S. Tigar  
District Court Judge