EDMUND G. BROWN, JR, 1 **Attorney General** 2 of the State of California **MIGUEL NIRI Supervising Deputy Attorney General** FIEL D. TIGNO **Supervising Deputy Attorney General State Bar No. 161195** 5 TERRY SENNE **Deputy Attorney General** State Bar No. 104887 6 1515 Clay Street, Suite 2000 Oakland, CA 94612-1413 Telephone: (510) 622 2118 8 Facsimile: (510) 622-2270 9 **Attorneys for Defendants** 10 LAWRENCE J. KING 11 State Bar No. 120805 6 "C" Street Petaluma, CA 94952 12 Telephone: (707) 769-9791 13 Facsimile: (707) 769-9253 14 **Attorney for Plaintiff** VAN A. PENA, PHD., M.D. 15 THE UNITED STATES DISTRICT COURT 16 FOR THE NORTHERN DISTRICT OF CALIFORNIA 17 18 VAN A. PENA, PHD., M.D., CASE NO. C 00-4009 CW S 19 Plaintiff, S STIPULATION REQUESTING THAT v. 20 CASE MANAGEMENT TIMOTHY MEEKER, PATRICIA S CONFERENCE BE RESCHEDULED. 21 REES, HAL PETERSON, JENNIFER S WEAR, DENISE SHELDON, NORM S 22 KRAMER, AND JUDITH S Current CMC date: September 23, 2008 BJORNDAL, 23 Proposed CMC date: December 16, 2008 **Defendants** 24 S The Honorable Claudia Wilken .25 NOW COME THE PARTIES, by and through their counsel of record, and hereby request that the Case Management Conference, which is currently set for September 23, 2008, be 26 27 rescheduled for December 16, 2008. In support thereof, the parties would show the Court the 28 STIPULATION REQUESTING THAT THE CASE MANAGEMENT CONFERENCE BE RESCHEDULED.

following:	
1. This case is current	tly on appeal before the United States Court of Appeals for the
Ninth Circuit. The matter has been	n fully briefed and is scheduled for oral argument on October 24,
2008. The parties do not anticipate	e a decision from the Ninth Circuit prior to the current September
23, 2008 date for the Case Manage	ement Conference.
Accordingly, the parties res	pectfully request that this Court reschedule the Case Management
Conference for December 16, 200	8.
RESPECTFULLY SUBMITTE	D.
Dated: September 5, 2008	EDMUND G. BROWN, JR, Attorney General of the State of California MIGUEL NIRI FIEL D. TIGNO
	/s Terry Senne TERRY SENNE Denvis Attorney Concret
	Deputy Attorney General Attorneys for Defendants
Dated: September 5, 2008	LAW OFFICES OF LAWRENCE J. KING
1	By:/s Lawrence J. King
	LAWRENCE J. KING Attorney for Plaintiff VAN A. PENA, PHD., M.D.
	<del>[PROPOSED]</del> ORDER
Having reviewed the partie	es stipulation and finding good cause therefor, the Court hereby
GRANTS the parties request and	reschedules this case for a Case Management Conference to be
held on December 16, 2008 at 2:00	0 p.m.
IT IS SO ORDERED.	
9/16	Claudialeit
Dated:, 200	The Honorable Claudia Wilken United States District Judge
STIPHI ATION DECHESTING THAT	THE CASE MANAGEMENT CONFEDENCE DE DESCHEDIUED.