

1 KAMALA D. HARRIS  
 Attorney General of California  
 2 TYLER B. PON  
 Supervising Deputy Attorney General  
 3 JEFFREY R. VINCENT  
 Deputy Attorney General  
 4 State Bar No. 161013  
 1515 Clay Street, 20th Floor  
 5 P.O. Box 70550  
 Oakland, CA 94612-0550  
 6 Telephone: (510) 622-2127  
 Fax: (510) 622-2270  
 7 E-mail: Jeffrey.Vincent@doj.ca.gov  
*Attorneys for Defendant Cesar Sinnaco*

8 BINGHAM McCUTCHEEN LLP  
 William Bates III (SBN 63317)  
 bill.bates@bingham.com  
 10 Christopher M. O'Connor (SBN 229576)  
 christopher.oconnor@bingham.com  
 11 1117 S. California Avenue  
 Palo Alto, CA 94304-1106  
 12 Tel: (650) 849-4400  
 Fax: (650) 849-4800  
 13 *Attorneys for Plaintiff Washington C. Montano*

14  
 15 IN THE UNITED STATES DISTRICT COURT  
 16 FOR THE NORTHERN DISTRICT OF CALIFORNIA

<p>18 <b>WASHINGTON C. MONTANO,</b>                  Plaintiff,                  19                  v.                  20  <b>CESAR L. SINNACO, M.D., et al.,</b>                  Defendants.                  21                  22                  23                  24</p>	<p>C 04 0543 CW (PR)  <b>JOINT REQUEST FOR CONTINUANCE                  OF CASE MANAGEMENT CONFERENCE                  AND [PROPOSED] ORDER</b>                  CMC Date: Sept. 19, 2012                  Time: 2:00 p.m.                  Courtroom: 2, 4th Floor                  Judge: Hon. Claudia Wilken                  Trial Date: None                  Action Filed: Feb. 9, 2004</p>
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25 The parties filed a Case Management Conference Statement on May 2, 2012 (Document  
 26 132), and a Joint Request for Continuance of Case Management Conference and Proposed Order  
 27 on July 12, 2012 (Document 133). Pursuant to these requests, the Court continued the Case  
 28 Management Conference to September 19, 2012 to allow time to complete settlement.

1 The significant change in status at this time is that an orthopedic consult has occurred  
2 pursuant to the terms of the settlement. However, due to a delay relating to the payment of  
3 settlement funds, the terms of settlement have not been completed. The Defendant expects the  
4 payment of settlement funds to be complete by the end of December 19, 2012, at which time a  
5 stipulation for dismissal will be filed.

6 Accordingly, the parties jointly request and stipulate to a continuance of the Case  
7 Management Conference to December 19, 2012.

8 I, Christopher O'Connor, declare, under penalty of perjury under the laws of the United  
9 States of America, that defendant's counsel Jeff. R. Vincent has concurred in the filing of this  
10 document.

11 Dated: Sept. 12, 2012

Respectfully submitted,

12 KAMALA D. HARRIS  
13 Attorney General of California  
14 TYLER B. PON  
Supervising Deputy Attorney General

/s/

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JEFF R. VINCENT  
16 Deputy Attorney General  
Attorneys for Defendant Cesar L. Sinnaco

17 Dated: Sept. 12, 2012

BINGHAM McCUTCHEN LLP

/s/

18 \_\_\_\_\_  
19 Christopher M. O'Connor  
Attorneys for Plaintiff  
20 Washington C. Montano

21 **ORDER**

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23 For good cause appearing, the Case Management Conference, previously set for  
24 Wednesday, September 19, 2012, is continued to Wednesday, December 19, 2012, at 2:00 p.m.,  
25 in Courtroom 2, 4th Floor, 1301 Clay Street, Oakland, CA 94612.

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28 District Court Judge