

1 DENNIS J. HERRERA, State Bar #139669
 City Attorney
 2 JOANNE HOEPER, State Bar #114961
 Chief Trial Attorney
 3 SCOTT D. WIENER, State Bar #189266
 SHERRI SOKELAND KAISER, State Bar #197986
 4 CHRISTINE VAN AKEN, State Bar #241755
 Deputy City Attorneys
 5 Fox Plaza
 1390 Market Street, 6th Floor
 6 San Francisco, California 94102-5408
 Telephone: (415) 554-3800
 7 Facsimile: (415) 554-3837

8 Attorneys for Defendants
 CITY AND COUNTY OF SAN FRANCISCO
 9 AND GEORGE BUTTERWORTH

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

12 JOHN TENNISON,
 13 Plaintiff,
 14 vs.
 15 CITY AND COUNTY OF SAN
 FRANCISCO, SAN FRANCISCO POLICE
 16 DEPARTMENT, EARL SANDERS,
 NAPOLEON HENDRIX AND GEORGE
 17 BUTTERWORTH,
 18 Defendants.

Case No. C 04-0574 CW

**STIPULATION AND ORDER
 CONTINUING FURTHER CASE
 MANAGEMENT CONFERENCE**

19
 20
 21
 22
 23
 24
 25
 26
 27
 28

1 **RECITAL**

2 This Court's Case Management Order of April 6, 2006, set a further case management
3 conference in this matter for October 6, 2006, at 1:30 p.m. The Order noted, "If no decision is
4 made by the Ninth Circuit [regarding pending appeals of this Court's partial denial of summary
5 judgment motions to certain defendants] by October 6, 2006, the parties can stipulate to continue
6 the Case Management Conference." Document 503 at 2.

7 On October 2, 2006, this Court ordered that the Case Management Conference be
8 continued until June 8, 2007, at 1:30 p.m. Document 506.

9 On May 14, 2007, this Court issued a Clerk's Notice, which rescheduled the Case
10 Management Conference for June 12, 2007, at 2:00 p.m. Document 532.

11 On June 1, 2007, this Court ordered that the Case Management Conference be continued
12 until August 7, 2007. Document 534.

13 The Ninth Circuit heard oral argument in this case on June 12, 2007 at 9:00 a.m.

14 On July 30, 2007, this Court ordered that the Case Management Conference be continued
15 until December 4, 2007, at 2:00 p.m. Document 536.

16 On November 28, 2007, this Court ordered that the Case Management Conference be
17 continued until February 12, 2008, at 2:00 p.m. Document 539.

18 The Ninth Circuit has not yet entered a decision in this case.

19 The parties therefore request that this Court continue the February 12, 2008 Further Case
20 Management Conference to March 25, 2008. Should the Ninth Circuit dispose of the appeal
21 before that date, the parties will notify the Court so that the further case management conference
22 may be advanced.

23 **STIPULATION**

24 For the foregoing reason, the parties, through their undersigned counsel, stipulate and
25 agree to entry of an order continuing the further case management conference from February 12,
26 2008 at 2:00 p.m. to March 25, 2008 at 2:00 p.m.

1 Dated: January 28, 2008

2 DENNIS J. HERRERA
3 City Attorney
4 JOANNE HOEPER
5 Chief Trial Deputy
6 SCOTT D. WIENER
7 CHRISTINE VAN AKEN
8 Deputy City Attorneys

9 By: _____ /s/
10 CHRISTINE VAN AKEN
11 Attorneys for Defendants
12 CCSF AND GEORGE BUTTERWORTH

13 Dated: January ____, 2008

14 JAMES QUADRA, ESQ.
15 MOSCONE, EMBLIDGE & QUADRA, LLP

16 By: _____ /s/*
17 JAMES QUADRA
18 Attorneys for Defendants EARL SANDERS and
19 NAPOLEON HENDRIX

20 Dated: January ____, 2008

21 ELLIOT R. PETERS, ESQ.
22 KHARI J. TILLERY, ESQ.
23 KEKER & VAN NEST, LLP

24 By: _____ /s/*
25 KHARI J. TILLERY
26 Attorneys for Plaintiff JOHN TENNISON

27 Dated: January ____, 2008

28 JOHN HOUSTON SCOTT, ESQ.
THE SCOTT LAW FIRM

By: _____ /s/*
JOHN HOUSTON SCOTT
Attorneys for Plaintiff ANTOINE GOFF

*The filer of this document attests that concurrence in the filing of this document has been obtained from the signatories.

ORDER

GOOD CAUSE appearing, it is HEREBY ORDERED that the further case management conference in this matter is continued pursuant to the terms of the foregoing stipulation.

IT IS SO ORDERED.



Dated: 2/4/08

THE HONORABLE CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28