

1 LOUIS A. LEONE, ESQ. (CSB # 099874)  
 2 CLAUDIA LEED, ESQ. (CSB # 122676)  
 3 KATHERINE ALBERTS, ESQ. (CSB # 212825)  
**STUBBS & LEONE**  
 2175 N. California Blvd., Suite 900  
 4 Walnut Creek, CA 94596  
 Telephone: (925) 974-8600  
 5 Facsimile: (925) 974-8601  
 6 [leonel@stubbsleone.com](mailto:leonel@stubbsleone.com)  
[leedc@stubbsleone.com](mailto:leedc@stubbsleone.com)  
 7 [albertsk@stubbsleone.com](mailto:albertsk@stubbsleone.com)

8  
 9 Attorneys for Defendant/Counter Claimant  
 10 ALAMEDA UNIFIED SCHOOL DISTRICT

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA

13 LINDA PEDRAZA and FRANCISCO  
 14 PEDRAZA, individually and on behalf of their  
 son M.P.,  
 15  
 16 Plaintiffs,  
 17  
 v.  
 18 ALAMEDA UNIFIED SCHOOL DISTRICT,  
 et al.,  
 19 Defendants.

**Case No.: C05-04977 (VRW)**  
**MOTION FOR ADMINISTRATIVE  
 RELIEF FOR EXTENSION OF TIME TO  
 FILE SUMMARY JUDGMENT MOTION  
 ON DAMAGES; [~~PROPOSED~~] ORDER**

(Local Rule 7-11)

20 AND ALL RELATED COUNTERCLAIMS

21  
 22 AND CONSOLIDATED CASES  
 23

24  
 25 Pursuant to Local Rule 7-11, Counter Claimant ALAMEDA UNIFIED SCHOOL  
 26 DISTRICT hereby moves this Court for administrative relief for an extension of time to file its  
 27 motion for summary judgment on damages related to its Counter Complaint. Pursuant to the  
 28 Court's order dated October 20, 2011, the District had one month, or until November 20, 2011,  
 to file its motion for summary judgment as to damages. By this motion and for good cause

1 shown below, the District requests a 10 day extension, until November 30, 2011, to file its  
2 motion for summary judgment.

3 Good cause exists for this extension on the grounds that counsel for the District's time  
4 and attention was unexpectedly required on other cases. The District's counsel, who is the only  
5 one at the firm with knowledge of the issues in this matter, had to draft two unexpected  
6 emergency writ petitions in two different state cases. These two petitions took counsel's  
7 undivided attention for the past three weeks. Therefore, counsel has not had time to review and  
8 analyze the evidence and issues regarding the District's motion for summary judgment as to  
9 damages. The evidence and witnesses regarding the District's motion date back to 2003. Many  
10 witnesses have moved or changed jobs and have been difficult to locate. These witnesses are  
11 necessary to determine which of the various costs the District incurred due to the Counter  
12 Defendants' breach of the settlement agreement at issue. The additional 10 days requested are  
13 necessary to insure that a proper motion for summary judgment is brought before the Court.

14 Therefore, the District request that the Court grant it a ten (10) day extension of time to  
15 file its motion for summary judgment as to damages on its counter claims.

16  
17 Respectfully submitted,

18  
19 Dated: September 5, 2008

**STUBBS & LEONE**

/s/ Katherine A. Alberts

KATHERINE A. ALBERTS, ESQ.

Attorneys for Defendant and Counter Claimant  
ALAMEDA UNIFIED SCHOOL DISTRICT,

1  
2  
3 **[PROPOSED] ORDER**

4 Defendant and Counter Claimant ALAMEDA UNIFIED SCHOOL DISTRICT moved  
5 pursuant to Local Rule 7-11 for administrative relief. The Court having considered the matter  
6 hereby GRANTS the motion and orders as follows:

7 Defendant and Counter-Claimant ALAMEDA UNIFIED SCHOOL DISTRICT is hereby  
8 granted a 10 day extension of time in which to file its motion for summary judgment as to  
9 damages on its counter claims. Therefore, the motion for summary judgment is now due on  
10 November 30, 2011.

11 IT IS SO ORDERED.

12 Date: 11/15/2011

13   
14 Hon. Claudia Wilken  
15 United States District Chief Judge