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13 Attorneys for Plaintiffs

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21 Attorneys for Defendants

22 UNITED STATES DISTRICT COURT  
23 NORTHERN DISTRICT OF CALIFORNIA

24 LIONEL N. ALLEN; RALPH P. DAVIS;  
25 MONICA OATEZ; MICHAEL OATEZ;  
26 MARWAN OATEZ; JOHNNY D. STOKES,  
27 and, MICHAEL A. FLEURY,

28 Action No. C-07-03509-PJH

29 **STIPULATION AND PROPOSED ORDER FOR**  
30 **CONTINUATION OF CASE MANAGEMENT CONFERENCE**

31 Plaintiffs,

32 vs.

33 CITY OF SAN LEANDRO, a municipal corporation;  
34 JOSEPH KITCHEN, in his capacity as Chief of Police  
35 for CITY OF SAN LEANDRO; and, DOES 1-25,  
36 inclusive, individually, and in their capacity as  
37 San Leandro police officers,

38 Defendants.

39 **STIPULATION**

40 All parties to this action stipulate and agree, by and through their respective counsel,  
41 as follows:

- 42 1. The CITY OF SAN LEANDRO Council has approved settlement of this action in an amount  
43 which had already been agreed to by all parties to this action, defendants' counsel have delivered a

1  
2 "Release of All Claims" for signature by all plaintiffs and their counsel;

3 2. Once the "Release of All Claims" has been executed and returned to defendants' attorneys,  
4 the settlement check will then be delivered by defense counsel to plaintiffs' attorneys at the Law  
5 Offices of John L. Burris;

6 3. Upon receipt of the settlement check for this action by plaintiffs' attorneys at the Law Offices  
7 of John L. Burris, the Stipulation and Order for Dismissal of Action will then be filed with this  
8 Court;

9 4. Therefore, the parties request that this Court continue the Case Management Conference  
10 presently scheduled for September 25, 2008 and the Joint Updated Case Management Conference  
11 Statement, for approximately two (2) months.

12 LAW OFFICES OF GAYLA B. LIBET

13  
14 Dated: 9-22-08 By: Gayla B. Libet  
15 GAYLA B. LIBET, Esq.  
16 Attorneys for Plaintiffs

17 LAW OFFICES OF JOHN L. BURRIS

18 Dated: 9/22/08 By: John L. Burris  
19 JOHN L. BURRIS, Esq.  
20 Attorneys for Plaintiffs

21 MEYERS, NAVE, RIBACK, SILVER & WILSON

22 Dated: \_\_\_\_\_ By: \_\_\_\_\_  
23 KIMBERLY E. COLWELL, Esq.  
24 Attorneys for Defendants

25 **ORDER**

26 PURSUANT TO STIPULATION, IT IS SO ORDERED.

27  
28 Dated: \_\_\_\_\_  
HONORABLE PHYLLIS J. HAMILTON  
United States District Court Judge

"Release of All Claims" for signature by all plaintiffs and their counsel;

2. Once the "Release of All Claims" has been executed and returned to defendants' attorneys, the settlement check will then be delivered by defense counsel to plaintiffs' attorneys at the Law Offices of John L. Burris;

3. Upon receipt of the settlement check for this action by plaintiffs' attorneys at the Law Offices of John L. Burris, the Stipulation and Order for Dismissal of Action will then be filed with this Court;

4. Therefore, the parties request that this Court continue the Case Management Conference presently scheduled for September 25, 2008 and the Joint Updated Case Management Conference Statement, for approximately two (2) months.

LAW OFFICES OF GAYLA B. LIBET

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
GAYLA B. LIBET, Esq.  
Attorneys for Plaintiffs

LAW OFFICES OF JOHN L. BURRIS

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
JOHN L. BURRIS, Esq.  
Attorneys for Plaintiffs

MEYERS, NAVE, RIBACK, SILVER & WILSON

Dated: September 22, 2008 By: Tricia Hynes  
TRICIA HYNES, Esq.  
Attorneys for Defendants

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.  
Case Management Conference continued to December 4, 2008 at 2:30 p.m.

Dated: 9/23/08

HONORABLE PHYLLIS J. HAMILTON  
United States District Court

