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 9 Attorneys for Plaintiff Palo Mobile Estates
 Associates

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

12 PALO MOBILE ESTATES ASSOCIATES,
 13 a California limited partnership,
 14 Plaintiff,
 15 vs.
 16 CITY OF EAST PALO ALTO, a municipal
 17 corporation; DOES 1 through 10, inclusive,
 18 Defendants.
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CASE NO: C 07-03601 PJH

**STIPULATION TO CONTINUE CASE
 MANAGEMENT CONFERENCE;
 [PROPOSED] ORDER**

Superior Court Action Filed: June 12, 2007
 Removed to Federal Court: July 12, 2007
 Trial Date: None Set

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1 WHEREAS, the Court has stayed this matter at the request of both parties pending the
2 outcome of the concurrent petition for a writ of mandate in the San Mateo County Superior Court
3 (“Case No. CIV 467731”);

4 WHEREAS, whereas Case No. CIV 467731 sought a writ compelling the City of East Palo
5 Alto (“City”) to vacate Ordinance No. 305, which imposed certain conditions on mobilehome park
6 conversions from rental-only facilities to resident ownership pursuant to Government Code section
7 66427.5 within the City;

8 WHEREAS, the San Mateo County Superior Court entered a writ in Case No. CIV 467731
9 on June 24, 2008 (“Writ”);

10 WHEREAS, this action seeks damages related to the City’s adoption of Ordinance No. 305
11 and its effect on plaintiff Palo Mobile Estates Associates’ (“PME”) application to convert its
12 mobilehome park from a rental-only facility to resident ownership pursuant to Government Code
13 section 66427.5 (“Application”);

14 WHEREAS, this Court continued the Case Management Conference set for September 3,
15 2009 to March 4, 2010 to allow the parties to receive a final determination on PME’s Application,
16 as the City’s decision on PME’s Application could drastically affect the scope of this action;

17 WHEREAS, final approval on the Application first requires the City’s approval of PME’s
18 tentative tract map, followed by the City’s approval of PME’s final map;

19 WHEREAS, on January 27, 2009, the City, through its City Council, voted to approve
20 PME’s tentative tract map;

21 WHEREAS, the City, through its City Council, has not yet approved PME’s final map but
22 is expected to do so by the end of March 2010, thereby conferring final approval on the
23 Application;

24 WHEREAS, PME may dismiss this action pending approval of the final map.

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1 ACCORDINGLY, IT IS HEREBY STIPULATED by PME and the City, by and through
2 their respective counsel, that:

3 This Court continue the stay in this action and continue the Case Management Conference
4 to June 3, 2010.

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6 DATED: February 23, 2010

GILCHRIST & RUTTER
Professional Corporation

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9 By: /s/ Thomas W. Casparian
10 Thomas W. Casparian
11 Attorneys for Plaintiff
Palo Mobile Estates Associates

12 DATED: February 23, 2010

JARVIS, FAY, DOPORTO & GIBSON, LLP

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14 By: /s/ Benjamin P. Fay
15 Benjamin P. Fay
16 Attorneys for Defendant
CITY OF EAST PALO ALTO

17 **ORDER**

18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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20 DATED: 3/1/10

