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9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
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12 PALO MOBILE ESTATES
 ASSOCIATES, a California limited
 13 partnership,
 14 Plaintiff,
 15 vs.
 16 CITY OF EAST PALO ALTO, a
 municipal corporation; DOES 1 through
 17 10, inclusive,
 18 Defendants.

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
2 pending the outcome of the concurrent petition for a writ of mandate in the San
3 Mateo County Superior Court (“Case No. CIV 467731”);

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

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

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

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

18 WHEREAS, the City, through its City Council, approved PME’s final map,
19 thereby conferring final approval on the Application, on April 20, 2010;

20 WHEREAS, City and PME are currently engaging in early settlement
21 discussions which may result in dismissal of this action.

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

3 This Court continue the stay in this action and continue the Case Management
4 Conference to July 1, 2010.

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DATED: May 27, 2010

GILCHRIST & RUTTER
Professional Corporation

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

DATED: May 27, 2010

JARVIS, FAY, DOPORTO & GIBSON,
LLP

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

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 5/28/10

Honorable Phyllis J. Hamilton
Judge, District Court

