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11 CITY OF EAST PALO ALTO

FILED

JUN 25 2010

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

12
13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**

15
16 PALO MOBILE ESTATES ASSOCIATES, a)
California limited partnership,)
17)
Plaintiff,)
18)
v.)
19)
CITY OF EAST PALO ALTO, a municipal)
20 corporation; DOES 1 through 10, inclusive,)
21)
Defendants.)

CASE NO: 4:07-03601 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

22
23 WHEREAS, the Court has stayed this matter at the request of both parties pending the outcome
24 of the concurrent petition for a writ of mandate in the San Mateo County Superior Court (“Case No.
25 CIV 467731”);

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

1 | 66427.5 within the City;

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

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

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

10 | WHEREAS, this Court continued the Case Management Conference set for June 3, 2010 to July
11 | 1, 2010 to allow for settlement negotiations after the City’s final decision on PME’s Application;

12 | WHEREAS, City has presented PME with its initial opinion regarding liability and PME is
13 | preparing a response to fully address the possibility of settlement and therefore the parties are now in
14 | the midst of settlement discussions;

15 | WHEREAS, Counsel for PME Thomas Casparian will be on vacation from August 16 through
16 | 20;

17 | WHEREAS, Counsel for the City Benjamin Fay will be on vacation and travelling out of the
18 | country and the state from July 29 through August 19;

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

3 This Court continue the stay in this action and continue the Case Management Conference to
4 August 26, 2010.

5 GILCHRIST & RUTTER

6
7 Dated: June 24, 2010

By: _____ /s/
Thomas W. Casparian
Attorneys for Plaintiff
PALO MOBILE ESTATES ASSOCIATES

10 JARVIS, FAY, DOPORTO & GIBSON, LLP

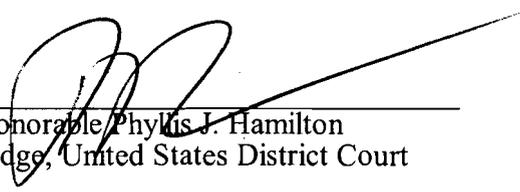
11
12 Dated: June 24, 2010

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

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16 **ORDER**

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18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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21 Dated: June 25, 2010



Honorable Phyllis J. Hamilton
Judge, United States District Court

22
23 J:\Clients\103 [E. Palo Alto]\010 (Palo Mobile Estates Complaint (Fed))\Plead\Stipulation and Order to Continue CMC 6-24-10.wpd