

1 DENNIS J. HERRERA, State Bar #139669
City Attorney
2 DANNY CHOU, State Bar # 180240
Chief of Complex and Special Litigation
3 JAMES M. EMERY, State Bar #153630
ELAINE M. O'NEIL, State Bar #142234
4 Deputy City Attorneys
Fox Plaza
5 1390 Market Street, Seventh Floor
San Francisco, California 94102-5408
6 Telephone: (415) 554-4261
Facsimile: (415) 554-3985
7 E-Mail: jim.emery@sfgov.org

8
9 Attorneys for Defendants
CITY AND COUNTY OF SAN FRANCISCO, ET AL.

10 UNITED STATES DISTRICT COURT
11
12 NORTHERN DISTRICT OF CALIFORNIA

13 IVANA KIROLA, MICHAEL KWOK, and
ELIZABETH ELFTMAN, on behalf of
14 themselves and all others similarly situated,

15 Plaintiffs,

16 vs.

17 THE CITY AND COUNTY OF SAN
FRANCISCO ("the CITY"); GAVIN
NEWSOM, in his official capacity as Mayor;
18 AARON PESKIN, in his official capacity as
President of the Board of Supervisors; JAKE
19 MCGOLDRICK, MICHELA ALIOTO-
PIER, ED JEW, CHRIS DALY, SEAN
20 ELSBERND, BEVAN DUFTY, TOM
AMMIANO, SOPHIE MAXWELL, ROSS
21 MIRKARIMI, AND GERARDO
SANDOVAL, in their official capacities as
22 members of the Board of Supervisors,

23 Defendants.

Case No. C07-3685 SBA (EMC)

CLASS ACTION

**STIPULATION AND [~~PROPOSED~~]
ORDER EXTENDING TIME FOR SAN
FRANCISCO TO COMPLETE
EXPERT DISCOVERY FROM
PLAINTIFFS**

**Courtroom: C, 15th Floor
Judge: Magistrate Judge Edward M.
Chen**

Trial Date: May 24, 2010
Merits Discovery Cutoff: March 31, 2010
Expert Discovery Cutoff: March 26, 2010
Complaint Filed: July 17, 2007

1 WHEREAS plaintiffs, for legitimate reasons beyond their control, postponed depositions for
2 its experts Paul Regan, Gary Waters, Jeff Mastin and Peter Margen and defendant's expert William
3 Hecker, and the parties were unable to reschedule these depositions to be completed prior to the
4 expert discovery deadline of March 26, 2010;

5 WHEREAS the City and County of San Francisco ("the City") desires to take the deposition
6 of each of plaintiffs' designated experts and plaintiffs desire to take the deposition of each of the
7 City's designated experts;

8 IT IS HEREBY STIPULATED by and between the parties to this action, through their
9 respective counsel, as follows:

10 1. The City is authorized to conduct expert depositions of plaintiffs' designated experts
11 Paul Regan, Gary Waters, Jeff Mastin and Peter Margen on or before April 16, 2010;

12 2. Plaintiffs shall make its designated experts Paul Regan, Gary Waters, Jeff Mastin and
13 Peter Margen available for deposition on or before April 16, 2010;

14 3. The plaintiffs are authorized to take Mr. Hecker's deposition on or before April 16,
15 2010, and the City shall make Mr. Hecker available for deposition on or before April 16, 2010;

16 4. The parties will cooperate reasonably in scheduling each of these five outstanding
17 expert depositions; and

18 5. Plaintiffs shall pay for Mr. Hecker's transportation and lodging incurred in connection
19 with his rescheduled deposition and not seek reimbursement therefor from the City.

20 ///

21 ///

1 SO STIPULATED,

2 DATED: March 26, 2010

3 SCHNEIDER WALLACE COTTRELL BRAYTON
4 KONECKY

5
6 By: _____ /s/
7 Mark T. Johnson
8 Attorneys for Plaintiffs

9 DATED: March 26, 2010

10 DENNIS J. HERRERA
11 City Attorney
12 JAMES M. EMERY
13 Chief of Complex Litigation

14 By: _____ /s/
15 James M. Emery
16 Chief of Complex Litigation
17 Attorneys for Defendants City and County of
18 San Francisco, et al.

18 Pursuant to stipulation and good cause appearing, it is so ORDERED.

19 Dated: March 29, 2010

20
21 _____
22 HONORABLE EDWARD M. CHEN
23 United States Magistrate Judge

