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 CITY AND COUNTY OF SAN FRANCISCO
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11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

13 ANASTASIA MAXWELL,

14 Plaintiff,

15 vs.

16 CITY AND COUNTY OF SAN
 FRANCISCO,

17 Defendant.

Case No. C07-5598 CW

STIPULATION TO MODIFY
 SCHEDULING ORDER

Trial Date: July 6, 2009

19 IT IS STIPULATED BY THE PARTIES AS FOLLOWS:

21 1) Under the current scheduling order in this case, the discovery cutoff is Tuesday,
 22 December 2, 2008, and the last day for the parties to file a motion for summary judgment is
 23 December 31, 2008.

24 2) There is good cause to modify the scheduling order because : (a) The City's counsel in
 25 this matter, Lauren Monson, was recently assigned this matter and has been working to complete
 26 discovery as expeditiously as possible; and (b) despite the City's efforts to complete discovery by the
 27 deadline, the City is unable to meet this deadline due to the unavailability of Plaintiff's counsel prior
 28 to the fact discovery cutoff date of December 2, 2008.

1 3) Defendant City and County of San Francisco noticed Plaintiff Anastasia Maxwell's
2 deposition for Monday, November 17. However, due to conflict in Plaintiff's schedule, the first date
3 available for Plaintiff to be deposed is December 2, 2008. The current scheduling order indicates
4 December 2, 2008 as the discovery cutoff date.

5 4) On November 13, 2008, Ms. Monson communicated via email with Maxwell's
6 counsel, Curtis Oler. Ms. Monson explained to Mr. Oler that the City anticipates not being able to
7 complete the deposition in one day and would need to schedule an additional date prior to December
8 2 due to the discovery cutoff deadline. Mr. Oler indicated that he is currently involved in a
9 complicated out of state case and would not be available until December 9, 2008 for deposition. The
10 City agreed to that date.

11 5) The parties agreed to extend the fact discovery cutoff to January 2, 2009. The parties
12 agreed that the City's motion for summary judgment would be filed on or before January 29, 2009.
13 Accordingly, the parties agreed that the Disposition Motion Hearing will be continued to March 5,
14 2009.

15 6) According to the above agreement, the parties stipulate to the following modification
16 of the pending scheduling order:

| | |
|---|--------|
| 17 Completion of Fact Discovery | 1/2/09 |
| 18 Dispositive Motion Deadline | 3/5/09 |

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20 7) This agreement between the parties will require no other modification of the
21 scheduling order.

22 8) The parties stipulate to a modification of the Court's scheduling order as noted above
23 and request that the Court enter an order consistent with this stipulation.

1 Dated:

2 DENNIS J. HERRERA
3 City Attorney
4 ELIZABETH S. SALVESON
5 Chief Labor Attorney
6 LAUREN M. MONSON
7 Deputy City Attorney

8 By: _____
9 LAUREN M. MONSON

10 Attorneys for Defendant
11 CITY AND COUNTY OF SAN FRANCISCO

12 Dated: LAW OFFICES OF CURTIS G. OLER

13 By: _____
14 CURTIS G. OLER

15 Attorney for Plaintiff
16 ANASTASIA MAXWELL

17 PURSUANT TO STIPULATION, IT IS SO ORDERED: THE COURT'S SCHEDULING
18 ORDER IS MODIFIED AS FOLLOWS:

19 a) The discovery cutoff shall be continued from Tuesday, December 2, 2008, to January
20 2, 2008, to provide the City with an opportunity to take and complete Plaintiff's deposition;

21 b) The last day for the parties to file motions for summary judgment shall be continued
22 from December 31, 2008, to January 29, 2009; and

23 c) The Case Management Order shall be amended as follows:

24 Completion of Fact Discovery 1/2/09

25 Dispositive Motion Deadline 3/5/09

26 Dated: 11/21/08

27 

28 THE HONORABLE CLAUDIA WILKEN