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14 Attorney for Defendants:  
 Bay Area Rapid Transit District  
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16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA

18 JANICE PAYNE,  
 19 Plaintiff,

CASE NO. C08-02098 WDB  
Civil Rights

20  
 21 v.

**STIPULATION AND [PROPOSED]  
 ORDER TO CONTINUE FURTHER CASE  
 MANAGEMENT CONFERENCE**

22 BAY AREA RAPID TRANSIT  
 23 DISTRICT, and DOES 1-10, Inclusive,  
 24 Defendants.  
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Date: March 4, 2009  
 Time: 4:00 PM  
 Judge: Hon. Wayne D. Brazil  
 Place: U.S. District Court  
 450 Golden Gate  
 San Francisco, CA

25  
 26 The parties request a brief continuance of the currently scheduled Further Case  
 27 Management Conference for the following good cause:

- 28 1. The parties have been diligently working towards settlement. The parties

1 believe that they will be able to settle the case, or at least determine whether settlement is  
2 possible, within the next two weeks.

3 2. The parties have requested a further settlement conference with Judge Larson to  
4 be held on March 10, 2009, in the event that they are not able to settle the case through direct  
5 negotiations.

6 3. Holding a further case management conference, requiring a meet and confer of  
7 counsel and preparation of an Updated Joint Case Management Statement would increase the  
8 attorney fees in the litigation and make the case less likely to settle.

9 4. A brief continuance of the Further Case Management Conference will not  
10 prejudice any party, as there are no pending pre-trial or trial dates.

11 Accordingly, all parties request that the Further Case Management Conference currently  
12 scheduled for March 4, 2009, be continued for two weeks, to March 18, 2009, with an Updated  
13 Joint Case Management Statement to be filed no later than March 16, 2009, in the event that  
14 the case has not settled by that time.

15  
16 Dated: February 26, 2009

PAUL L. REIN  
JULIE OSTIL  
CELIA MCGUINNESS  
LAW OFFICES OF PAUL L. REIN  
  
ROSS MELTZER, ESQ.

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19  
20 /s/ Julie Ostil  
21 Attorneys for Plaintiff  
JANICE PAYNE

22  
23 Dated: February 26, 2009

MARK HAZELWOOD  
LAURA S. FLYNN  
LOW, BALL & LYNCH

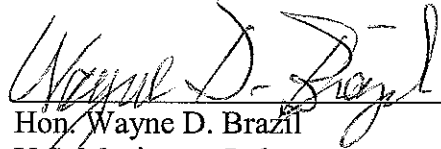
24  
25 /s/ Mark Hazelwood  
26 Attorneys for Defendant  
BAY AREA RAPID TRANSIT DISTRICT

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**[PROPOSED] ORDER**

Pursuant to stipulation, and for good cause shown, it is hereby ORDERED that the Further Case Management Conference currently set for March 4, 2009 is continued to March 18, 2009, with an Updated Case Management Conference Statement to be filed no later than March 16, 2009.

Dated: 2/27/09

  
\_\_\_\_\_  
Hon. Wayne D. Brazil  
U.S. Magistrate Judge