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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO/OAKLAND DIVISION

PACIFIC LEGAL FOUNDATION
 3900 Lennane Drive, Suite 200
 Sacramento, CA 95834
 (916) 419-7111 FAX (916) 419-7747

14 MICHAEL MEAD, an individual,)
)
 15 Plaintiff,)
)
 16 v.)
)
 17 CITY OF COTATI, a municipal corporation;)
)
 18 PLANNING COMMISSION OF THE CITY OF)
)
 19 COTATI; UNITED STATES FISH AND WILDLIFE)
)
 20 SERVICE; DONALD KOCH, in his official capacity)
)
 as Director of the California Department of Fish and)
 Game; Does 1-10, inclusive,)
)
 21 Defendants.)

No. CV 08 3585 CW
STIPULATION AND
~~PROPOSED~~ ORDER
RE: RELIEF FROM CASE
MANAGEMENT SCHEDULE
(CIVIL LOCAL RULES
7-11 & 16-2(d))

Date: N/A
 Time: N/A
 Courtroom: 2

1 THE PARTIES AND THEIR COUNSEL stipulate as follows:

2 On July 25, 2008, the Court issued an Order Setting Initial Case Management Conference
3 and ADR Deadlines.

4 The Order requires the parties, by October 28, 2008, to file a Rule 26(f) Report, complete
5 initial disclosures, and file a Case Management Conference Statement. The Order also sets an
6 initial case management conference for November 4, 2008.

7 The hearing on Defendant City of Cotati's and Defendant United States Fish & Wildlife
8 Service's motions to dismiss will be on October 30, 2008.

9 Pending the outcome of the motions to dismiss, it is not possible for the parties to identify
10 with certainty the claims that will be at issue in this case or the factual matters requiring discovery.

11 Continuing the obligations set forth under the Order until after the Court resolves the
12 pending motions to dismiss would conserve the resources of the parties and of this Court.

13 THEREFORE, the parties stipulate to a continuance of the obligations set forth under the
14 Order and propose the following revised case management schedule:

- 15 11/25/2008 Last day to meet and confer re: initial disclosures and discovery plan.
- 16 12/9/2008 Last day to file Rule 26(f) Report, complete initial disclosures or state
17 objection in Rule 26(f) Report, and file Case Management Statement per
18 Court's Standing Order re Contents of Joint Case Management Statement.
- 19 12/16/2008 Initial Case Management Conference

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21
22 Date: _____ /S/ PAUL J. BEARD II
23 Paul J. Beard II
24 for Plaintiffs

25 Date: _____ /S/ DAWN McINTOSH
26 Dawn McIntosh
27 for Defendants City of Cotati and
28 Planning Commission of the City of
Cotati

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Sacramento, CA 95834
(916) 419-7111 FAX (916) 419-7747

1 Date: _____

/S/ MICHAEL NEVILLE

Michael Neville
for Defendant Donald Koch

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4 Date: _____

/S/ MARK BARRON

Mark Barron
for Defendant Fish and Wildlife
Service

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PURSUANT TO STIPULATION, THE COURT SO ORDERS.

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10/23/08



10 Date: _____

Honorable Claudia Wilken

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CERTIFICATE OF SERVICE

I, Laurie E. White, declare as follows:

I am a resident of the State of California, residing or employed in Sacramento, California. I am over the age of 18 years and am not a party to the above-entitled action. My business address is 3900 Lennane Drive, Suite 200, Sacramento, California 95834.

On October 21, 2008, a true copy of STIPULATION AND [PROPOSED] ORDER RE: RELIEF FROM CASE MANAGEMENT SCHEDULE (CIVIL LOCAL RULES 7-11 & 16-2(d)) was electronically filed with the Court and electronically served by the ECF system on the following parties:

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Michael W. Neville
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On October 21, 2008, a true copy of STIPULATION AND [PROPOSED] ORDER RE: RELIEF FROM CASE MANAGEMENT SCHEDULE (CIVIL LOCAL RULES 7-11 & 16-2(d)) was placed in an envelope addressed to:

Richard R. Rudnansky
Meyers, Nave, Riback, Silver & Wilson
555 12th Street, Suite 1500
Oakland, CA 94607

which envelope, with postage thereon fully prepaid, was then sealed and deposited in a mailbox regularly maintained by the United States Postal Service in Sacramento, California.

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