

1 David M. Poore, SBN 192541
 2 KAHN BROWN & POORE LLP
 3 30 Fifth Street, Second Floor
 4 Petaluma, California 94952
 Telephone: (707) 763-7100
 Facsimile: (707) 763-7180
dpoore@kahnbrownlaw.com
 Attorneys for Plaintiffs

6 PATRICK K. FAULKNER, COUNTY COUNSEL
 Sheila Shah Lichtblau SBN 167999
 7 Stephen Raab, SBN 180939
 3501 Civic Center Drive, Room 275
 8 San Rafael, CA 94903
 Tel.: (415) 499-6117, Fax: (415) 499-3796

9 Attorney(s) for the County of Marin, Gretchen Melendy and Mariano Zamudio

11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**

14 MARIA COZZI, MARTHA GRIGSBY,
 15 BEVERLY HODGES, YUN BIN HSU, JOAN
 G. MONTEVERDI, MARYBETH PASCALE,
 16 MONICA H. PATENAUDE, MARGARET A.
 TURNER, THOMAS R. WATSON

17 Plaintiffs,

18 v.

19 COUNTY OF MARIN; MARIO ZAMUDIO;
 20 GRETCHEN MELENDY; and DOES 1
 21 through 50, inclusive,

22 Defendants.

Case No. 08 03633 PJH

**STIPULATION AND [PROPOSED]
 ORDER CONTINUING HEARING ON
 DEFENDANT'S MOTION FOR
 SUMMARY JUDGMENT AGAINST
 PLAINTIFF MARTHA GRIGSBY**

23 Defendants County of Marin, Mariano Zamudio and Gretchen Melendy (hereinafter
 24 "Defendants") and Plaintiffs MARIA COZZI; MARTHA GRIGSBY; BEVERLY HODGES;
 25 YUN BIN HSU; JOAN G. MONTEVERDI; MARYBETH PASCALE; MONICA H.
 26 PATENAUDE; and MARGARET A. TURNER (hereinafter "Plaintiffs") hereby agree and
 27 stipulate as follows:

28 -1-

1 WHEREAS Defendant filed a motion for summary judgment on plaintiff Martha
2 Grigsby's claims on January 6, 2010 with a hearing date of February 10, 2010 at 9:00 a.m. before
3 Judge Hamilton in the United States District Court, Northern District of California – Oakland
4 Courthouse;

5 WHEREAS Plaintiffs' counsel is scheduled to commence a jury trial in the United States
6 District Court, Northern District of California – San Francisco Courthouse on February 8, 2010
7 before the Hon. Maxine M. Chesney. Plaintiff's counsel recently attended the pre-trial
8 conference in that matter, and Judge Chesney indicated that the case would proceed as scheduled.
9 Judge Chesney has ordered that trial will take place between the hours of 8:30 a.m. and 1:30 p.m.
10 daily. As such, plaintiff's counsel would be unable to both attend a hearing in the instant matter
11 before Judge Hamilton at 9:00 a.m. on February 10, 2010 in the Oakland Federal Courthouse and
12 attend the trial proceedings at 8:30 a.m. on February 10, 2010 in the San Francisco Federal
13 Courthouse.

14 WHEREAS the parties have agreed to stipulate to allow the hearing on defendants'
15 motion for summary judgment to be continued to accommodate plaintiffs' counsel's trial
16 schedule. The parties propose the court keep the hearing on the same date and move the hearing
17 time from 9:00 a.m. to 3:00 p.m. to allow plaintiffs' counsel time to conclude trial proceedings
18 and travel to the Oakland Federal Courthouse. Alternatively, the parties do agree and stipulate to
19 move the hearing date as follows:

- 20 • February 11, 2010 at or after 3:00 p.m.;
- 21 • February 12, 2010 at or after 3:00 p.m.; or
- 22 • any other date and/or time which is deemed appropriate by this Court with
23 the exception of February 16-19, 2010, in which defendants' counsel is
24 unavailable. Plaintiffs' counsel anticipates that his February 8, 2010 trial should
25 be concluded on or before February 22, 2010.

26 Local Rule 7.7(b) states that after the opposition to a motion has been filed, the parties
27 may stipulate in writing to continue a hearing. In the instant proceeding, this motion has been

1 fully briefed by way of moving papers, opposition papers, and reply papers. As such, the parties
2 submit the instant stipulated request.

3 Date: February ____, 2010

4 PATRICK K. FAULKNER
5 COUNTY COUNSEL

6 By: _____
7 Sheila Lichtblau
8 Deputy County Counsel
9 Defendant County of Marin

10 Date: February ____, 2010

11 KAHN BROWN POORE

12 By: _____
13 David Poore,
14 Attorneys for Plaintiffs

15
16 PROPOSED ORDER

17
18 Good cause appearing, IT IS HEREBY ORDERED that the hearing on Defendants'
19 Motion for Summary Judgment currently scheduled for February 8, 2010 at 9:00 a.m. is hereby
20 continued to February 10, 2010 at 3:00 p.m. .m.

21
22 IT IS SO ORDERED.

23
24 Dated: February 5, 2009

