

1 JOHN A. RUSSO, City Attorney - State Bar #129729  
RANDOLPH W. HALL, Chief Assistant City Attorney - state Bar #080142  
2 WILLIAM E. SIMMONS, Supervising Trial Attorney - state Bar #121266  
ARLENE M. ROSEN, Senior Deputy City Attorney - State Bar #100160  
3 One Frank H. Ogawa Plaza, 6th Floor  
4 Oakland, California 94612  
Telephone: (510) 238-6392 Fax: (510) 238-6500  
5 26357/589821

6 Attorneys for Defendants  
7 CITY OF OAKLAND, et al.

8  
9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 DARRELL CURRY,  
12  
13 Plaintiff,

14 vs.

15 CITY OF OAKLAND, a municipal corporation;  
WAYNE TUCKER, in his official capacity as  
16 Chief of Police for the CITY OF OAKLAND; M.  
VALLE, individually and in his capacity as a police  
17 officer for the CITY OF OAKLAND; S. BARRE,  
individually and in his official capacity as a police  
18 officer for the CITY OF OAKLAND; and  
19 Oakland police officers DOES 3-25, inclusive,

20 Defendants.

Case No. C-08-03695-SBA

**STIPULATION AND PROPOSED  
ORDER TO CONTINUE  
SETTLEMENT CONFERENCE**

21  
22 It is hereby stipulated by the parties, through their respective counsel,  
23 that the Settlement Conference presently scheduled with Magistrate Judge Joseph Spero  
24 on Thursday, September 10, 2009 at 9:30 a.m. be continued to Thursday, October 15,  
25 2009 at 9:30 a.m., or to such other date the Court and the parties mutually agree upon.

26 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

Good cause exists for this continuance on the ground that Defendant M. Valle has not yet entered an appearance in this action, having only recently been served with the Second Amended Complaint, and the parties have been unable to conduct a sufficient amount of discovery to afford a fruitful settlement discussion by the currently scheduled date.

DATED: August 13, 2009 OFFICE OF THE CITY ATTORNEY OF OAKLAND

By: //s//ARLENE M. ROSEN  
ARLENE M. ROSEN  
Senior Deputy City Attorney  
Attorneys for Defendants  
CITY OF OAKLAND, et al.

DATED: August 13, 2009 LAW OFFICES OF JOHN L. BURRIS

By: //s//BENJAMIN NISENBAUM  
BENJAMIN NISENBAUM  
Attorneys for Plaintiff  
DARRELL CURRY

**PROPOSED ORDER**

IT IS HEREBY ORDERED that the Settlement Conference in this matter, currently set before Magistrate Judge Joseph Spero at 9:30 a.m. on September 10, 2009 is continued to 9:30 a.m. on October 15, 2009. The parties shall file settlement conference statements no later than October 1, 2009.

DATED: August 14, 2009

