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9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

11 JOANNE WARWICK,

12 Plaintiff,

13 v.

14 UNIVERSITY OF THE PACIFIC;
 15 CALIFORNIA DEPARTMENT OF
 CORRECTIONS AND
 16 REHABILITATION (“CDCR”);
 PATRICIA MILLER; MATTHEW CATE;
 17 MARVIN SPEED; TED RICH;
 MICHAEL BRADY; CLAUDIA
 18 BELSHAW; JILL BROWN; JOHN D.
 STOKES; GARY SWARTHOUT; DOES
 19 TWO through TWENTY-FIVE,

20 Defendants.
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Case No. CV-08-3904-CW

**STIPULATION AND ~~[PROPOSED]~~
 ORDER TO EXTEND TIME TO
 COMPLETE THE EARLY NEUTRAL
 EVALUATION CONFERENCE**

Judge: Honorable Claudia Wilken
 ENE Deadline: August 31, 2009
 Proposed Date for ENE: September 17, 2009
 Trial Date: July 26, 2010
 Time: 8:30 a.m.
 Department: 2

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1 It is hereby stipulated between the parties to the above action, through their respective attorneys of
2 record, with the Court's permission, to extend the deadline for completion of the Early Neutral
3 Evaluation (ENE) to October 31, 2009. The extension is necessary for the foregoing reasons:

- 4 1. Defendants University of the Pacific (UOP), California Department of Correction and
5 Rehabilitation (CDCR) and Patricia Miller, filed motions to dismiss Plaintiff Joanne Warwick's
6 Third Amended Complaint.
- 7 2. The motions were heard before the Honorable Claudia Wilken on February 16, 2009, in
8 conjunction with a Case Management Conference.
- 9 3. After the Court's ruling on the motions, Plaintiff was granted leave to amend the complaint to
10 conform to the Court's ruling and add new defendants.
- 11 4. Additionally, the Court issued a Scheduling Order for the ENE was to be completed by May 26,
12 2009.
- 13 5. A subsequent Case Management Conference was held on April 8, 2009, at which the Court
14 extended the deadline for completion of the ENE to August 31, 2009. The purpose of the
15 Court's extension was to allow the newly added defendants to be served with the Fourth
16 Amended Complaint (FAC) and request representation from the Attorney General's Office.
- 17 6. Service of process upon the newly added defendants was completed by Plaintiff on June 16,
18 2009.
- 19 7. On July 9, 2009, all of the newly added defendants answered the FAC and agreed to
20 representation by the Attorney General's Office.
- 21 8. All of the parties have worked together in good faith to set a date for the ENE with the court
22 appointed Evaluator, Dirk Schenckan, in order to complete the ENE before the Court's
23 deadline of August 31, 2009.
- 24 9. The parties have been unsuccessful in establishing a date to complete the ENE due to
25 scheduling conflicts.

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10. The parties, along with Mr. Schenkkan, have agreed to hold the ENE on September 17, 2009.

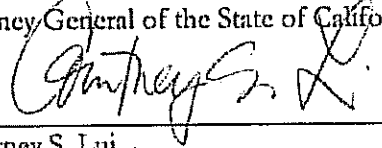
Dated: August 14, 2009

HOLDEN LAW GROUP

By: 
J. Edward Brooks
Attorneys for Defendant University of the Pacific

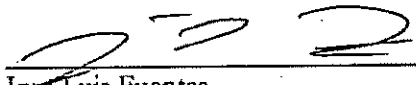
Dated: August 11, 2009

EDMUND G. BROWN
Attorney General of the State of California

By: 
Courtney S. Lui
Deputy Attorney General
Attorneys for Defendants California Department of
Corrections and Rehabilitation, et al.

Dated: 8-11-2009

SIEGEL & YEE

By: 
Jose Luis Fuentes
Attorneys for Plaintiff Joanne Warwick

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ORDER

The deadline for completion of the Early Neutral Evaluation Conference is extended to October 31, 2009.

IT IS SO ORDERED.

8/19/09

Dated: _____



By: _____

Honorable CLAUDIA WILKEN
Judge, United States Northern District Court