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 9 Timothy McCarthy

10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 12 OAKLAND DIVISION

15 **BRENDA DAVIS and DAVID ROY,**
 16 Plaintiffs,
 17 v.
 18 **STATE OF CALIFORNIA,**
 19 **DEPARTMENT OF CORRECTIONS AND**
 20 **REHABILITATION; DAVID MANDEL,**
 21 **Ph.D.; TIMOTHY McCARTHY, Ph.D.;**
JOANN VAN VALKENBURGH;
MAUREEN McLEAN and DOES 1-100,
 22 Defendants.

C 08-4481 SBA

**STIPULATED ORDER CONTINUING
 DEADLINE FOR DISPUTED JURY
 INSTRUCTIONS AND SUPPORTING
 MEMORANDA**

Date: October 22, 2013 (Pretrial)
 Time: 1:00 p.m.
 Courtroom: 1, 4th Floor
 Judge: The Honorable Sandra B.
 Armstrong
 Trial Date: October 28, 2013
 Action Filed: September 24, 2008

1 TO THE HONORABLE COURT AND THE CLERK OF THE COURT:

2 TAKE NOTICE THAT THE undersigned counsel of record for plaintiffs and defendants
3 hereby stipulate and request that the Court enter the following order forthwith:

4 The parties jointly and respectfully request one extra week to file their separate sets of
5 disputed proposed jury instructions with supporting memoranda. The parties are currently
6 meeting and conferring in good faith, and plan to timely file a joint set of agreed-upon proposed
7 jury instructions on September 17, 2014. The parties agree on a majority of the proposed jury
8 instructions, as they are largely based on the Ninth Circuit Manual of Model Jury Instructions,
9 where applicable. The parties will need additional time to prepare the memoranda requested for
10 the disputed jury instructions mentioned on page 4, paragraph (f) of the Court's standing order for
11 pretrial preparation. The parties are hoping to effectively utilize the Court's time and resources
12 by thoroughly meeting and conferring on these issues prior to the pre-trial conference.

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1 The parties respectfully request that the deadline for filing separate sets of disputed
2 proposed jury instructions with supporting memoranda be extended to September 24, 2013.

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4 Dated: September 16, 2013

Respectfully submitted,

5 KAMALA D. HARRIS
6 Attorney General of California
7 KAREN KIYO LOWHURST
8 Deputy Attorney General

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10 _____
11 /s/ Bonnie J. Chen

12 BONNIE J. CHEN
13 Deputy Attorney General
14 *Attorneys for Defendants CDCR, Mandel*
15 *& McCarthy*

16
17 Respectfully submitted,

18 HAGLUND KELLEY JONES & WILDER, LLP

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20 _____
21 /s/ Christopher Lundberg

22 CHRISTOPHER LUNDBERG
23 *Attorneys for Plaintiff Brenda Davis and*
24 *David Roy*

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ORDER

Based on the agreement of the parties, and good cause appearing, it is SO ORDERED.

The parties' separate sets of disputed proposed jury instructions and supporting memoranda shall
be filed no later than September 24, 2013.

29 Dated: 9/17/2013

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32 SAUNDRA B. ARMSTRONG
33 United States District Judge

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