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7 Attorneys for Defendants  
 8 CITY AND COUNTY OF SAN FRANCISCO, et al.

9  
 10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA

12 FREDERICK SCHIFF,

13 Plaintiff,

14 vs.

15 THE CITY AND COUNTY OF SAN  
 16 FRANCISCO; the SAN FRANCISCO  
 POLICE DEPARTMENT; and HEATHER  
 17 FONG, Individually and in her official  
 Capacity as Chief of the SAN FRANCISCO  
 18 POLICE DEPARTMENT,

19 Defendant(s).

Case No. C08-4627PJH

DEFENDANTS CITY AND COUNTY OF SAN  
 FRANCISCO AND CHIEF FONG'S [~~PROPOSED~~]  
 ORDER AND STIPULATION TO EXTEND  
 DISCOVERY & MOTION CUT-OFF DATES  
 AND TO SET A TRIAL DATE

Trial Date: None Set

20  
 21 IT IS STIPULATED BY THE PARTIES AS FOLLOWS:

- 22 1) Under the current scheduling order in this case, the discovery cutoff is Wednesday, March 31,  
 23 2010, and the last day for the parties to file a motion for summary judgment is April 14, 2010.  
 24 2) There has been one prior extension of the discovery and motion cut-off dates, by stipulation, in  
 25 December 2009.  
 26 3) There is good cause to extend the discovery and motion cut-off dates because Defendant Chief  
 27 Fong is unavailable to be deposed due to medical reasons. She will be unavailable for medical  
 28

1 reasons until July 2010. Plaintiffs are unable to complete discovery and are unable to oppose  
2 any motions for summary judgment without Chief Fong's deposition.

3 4) There is currently no trial date set in this matter. In order to limit any prejudice to plaintiff in  
4 this continuance, the parties request that the court set a trial date at its convenience in late 2010  
5 or early 2011.

6 5) The parties have been diligent in their discovery to this point. Defendants have taken part of  
7 Plaintiff's deposition and are set to conclude his deposition on March 8, 2010. Plaintiffs are  
8 taking a witness deposition on March 8, 2010. Both parties have engaged in written discovery.

9 6) According to the above agreement, the parties stipulate to the following extension of the  
10 discovery and motion cut-off dates:

11 Completion of Fact Discovery: August 13, 2010

12 Dispositive Motion Filing Deadline: August 30, 2010

13 7) The parties also agree for the court to set a trial date in this matter in late 2010 or early 2011.

14 8) The parties stipulate to a modification of the Court's scheduling order, as noted above, and  
15 request that the Court enter an order consistent with this stipulation.

16 Dated: 2-16-10

17 DENNIS J. HERRERA

City Attorney

18 ELIZABETH S. SALVESON

Chief Labor Attorney

19 By: 

20 LAUREN M. MONSON

Attorneys for Defendants

21 CITY AND COUNTY OF SAN FRANCISCO, et al.

22  
23 Dated:

24 By: \_\_\_\_\_

25 THOMAS K. BOURKE

Attorney for Plaintiff

26 FREDERICK SCHIFF  
27  
28

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ELIZABETH S. SALVESON  
Chief Labor Attorney

19 By: \_\_\_\_\_  
20 LAUREN M. MONSON  
21 Attorneys for Defendants  
22 CITY AND COUNTY OF SAN FRANCISCO, et al.

23 Dated: 2-16-10

24 By:  \_\_\_\_\_  
25 THOMAS K. BOURKE  
26 Attorney for Plaintiff  
27 FREDERICK SCHIFF  
28

1 PURSUANT TO STIPULATION, IT IS SO ORDERED:

2 THE COURT'S SCHEDULING ORDER IS MODIFIED AS FOLLOWS:

3 a) The discovery cutoff shall be continued to August 13, 2010;

4 b) The last day for the parties to file motions for summary judgment shall be continued to  
5 August 30, 2010; and

6 c) A trial date shall be set ~~for~~ after a ruling on dispositive motions. Dates parties' seek now  
7 are unavailable.  
8

9 Dated: 2/22/10

