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7 Attorneys for Defendants  
CITY OF CRESCENT CITY and  
8 DOUGLAS PLACK

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND DIVISION

13 MICHELLE BARBER,  
14 Plaintiff,  
15 v.  
16 CITY OF CRESCENT CITY, a California  
17 Municipality; DOUGLAS PLACK; and  
18 ERIC CAPON; and DOES 1-100 and Each  
of Them, Inclusive,  
19 Defendants.

Case No. 08-CV-04883-CW  
**STIPULATION AND [~~PROPOSED~~]  
ORDER TO CONTINUE DISCOVERY  
DEADLINES**

20  
21 BY AND THROUGH THEIR COUNSEL PLAINTIFF AND DEFENDANTS HEREBY  
22 STIPULATE AS FOLLOWS:

23 Whereas, Plaintiff’s counsel, Abraham Goldman, is deaf and depends on bilateral cochlear  
24 implants for his hearing;

25 Whereas, starting in May, 2010, Mr. Goldman’s right implant became infected;

26 Whereas, after four courses of antibiotic treatment, surgery was eventually required in  
27 August, 2010, as the implant had migrated out of place;

28 Whereas, the post operative treatment is continuing, and Mr. Goldman’s implant will not

1 be activated until some time in September or October 2010;

2 Whereas, this unexpected illness, surgery and recovery has caused delays in completing  
3 fact and expert discovery and trial preparation;

4 Whereas, as a result of Mr. Goldman's continuing and ongoing health issues and  
5 upcoming medical appointments, the parties have had to continue the previously scheduled  
6 private mediation set before Judge Ronald Sabraw from September 25, 2010 to November 29,  
7 2010;

8 The parties respectfully submit the following stipulation:

- 9 1. The October 12, 2010 expert disclosure deadline is continued to December 16, 2010;  
10 2. The November 30, 2010 discovery cut-off is continued to January 21, 2011; and  
11 3. The January 4, 2011 expert discovery cut-off is continued to January 21, 2011.

12 Dated: September 17, 2010

LIEBERT CASSIDY WHITMORE

13  
14  
15 By:           /s/ Morin I. Jacob            
16 Morin I. Jacob  
17 Attorneys for Defendants

18 Dated: September 17, 2010

LAW OFFICES OF ABRAHAM GOLDMAN

19  
20 By:           /s/ Abraham Goldman            
21 Abraham Goldman  
22 Attorneys for Plaintiff

23 **ORDER**

24 It is so ordered.

25 Date:           9/21/2010          

26   
27 The Honorable Claudia Wilken