

1 DENNIS J. HERRERA, State Bar #139669
 City Attorney
 2 ELIZABETH SALVESON, State Bar #83788
 Chief Labor Attorney
 3 JONATHAN C. ROLNICK, State Bar #151814
 Deputy City Attorney
 4 1390 Market Street, Fifth Floor
 San Francisco, California 94102-5408
 5 Telephone: (415) 554-3815
 Facsimile: (415) 554-4248
 6 E-Mail: jonathan.rolnick@sfgov.org

7
 8 Attorneys for Defendant
 CITY AND COUNTY OF SAN FRANCISCO

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

12 JUANITA STOCKWELL, et al.,
 13
 14 Plaintiffs,
 15 vs.
 16 CITY AND COUNTY OF SAN
 FRANCISCO, HEATHER FONG, CHIEF
 17 OF SAN FRANCISCO POLICE
 DEPARTMENT, sued in her official
 18 capacity,
 19 Defendants.

Case No. 08-05180 PJH

**STIPULATION AND [PROPOSED]
 ORDER CONTINUING DATE TO
 FILE MOTION FOR CLASS
 CERTIFICATION
 AS MODIFIED BY THE COURT**

20
 21
 22
 23
 24
 25
 26
 27
 28

1 **IT IS HEREBY STIPULATED** by and between the parties through their respective counsel
2 that the deadline for plaintiffs to file a motion for class certification be continued from May 7, 2010
3 to May 12, 2010.

4 A continuance of the deadline for filing the motion for class certification is warranted as the
5 City's counsel in this action, Deputy City Attorney Jonathan Rolnick, is scheduled to begin a bench
6 trial in San Francisco Superior Court on Monday, May 3, 2010 in *Chiquete v. City and County of San*
7 *Francisco*, Case No. 509673. Mr. Rolnick's handling of this trial was unexpected. The deputy city
8 attorney previously handling the *Chiquete* case and is unavailable due to a death in her family on or
9 about April 24. The City anticipates that the trial should take no more than two days. However,
10 depending on when the case is assigned a courtroom, it is possible that the trial might overlap with
11 the time provided for the City to prepare its opposition to the motion for class certification. A brief
12 continuance of the filing deadline will ensure that the City have the benefit of fourteen days to
13 prepare its opposition briefing and evidence.

14 The parties hereby agree to the following briefing schedule for the motion for class
15 certification:

- 16 a) Plaintiffs' moving papers - May 12, 2010
- 17 b) Defendant's opposition papers – May 26, 2010
- 18 c) Plaintiffs' reply brief – June ²~~4~~, 2010
- 19 d) Hearing on Plaintiffs' Motion for Class Certification – June 16, 2010

20 Dated: May 4, 2010

21
22 DENNIS J. HERRERA
23 City Attorney
24 ELIZABETH S. SALVESON
25 Chief Labor Attorney
26 JONATHAN C. ROLNICK
27 Deputy City Attorney

28 By: /s/Jonathan C. Rolnick
 JONATHAN C. ROLNICK

 Attorneys for Defendant
 CITY AND COUNTY OF SAN FRANCISCO

1 Dated: May 4, 2010

2 Michael S. Sorgen
3 LAW OFFICES OF MICHAEL S. SORGEN
4 Richard A. Hoyer
5 LAW OFFICES OF RICHARD A. HOYER & ASSOC.

6 By: /s/Michael S. Sorgen
7 MICHAEL S. SORGEN
8 Attorneys for Plaintiffs

9 //

10 //

1 **ORDER**

2

3 **IT IS HEREBY ORDERED** that the deadline for plaintiffs to file their motion for class
4 certification be continued from May 7, 2010 to May 12, 2010 with the motion to be brought and
5 heard pursuant to the briefing schedule set forth in the May 4, 2010 stipulation between the parties., as
6 modified by the court.

7 Dated: May 6, 2009

