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7 Attorneys for Defendants
 CITY AND COUNTY OF SAN FRANCISCO,
 8 HEATHER FONG, DERRICK LEW,
 DAVID CORREA, and AJAY SINGH
 9

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

12 JAMES B. WHITE,

13 Plaintiff,

14 vs.

15 CITY AND COUNTY OF SAN
 FRANCISCO, a municipal corporation;
 16 HEATHER FONG, in her capacity as Chief of
 Police for CITY AND COUNTY OF SAN
 17 FRANCISCO; DERRICK J. LEW;
 CHRISTIAN BERGE; DAVID CORREA;
 18 AJAY SINGH; HERMAN LUEDTKE; and
 Officer MARTIN, individually, and in their
 19 capacity as police officers for CITY AND
 COUNTY OF SAN FRANCISCO; and, DOES
 20 1-25, inclusive,

21 Defendants.

Case No. C08-05419 PJH

**STIPULATED AND [PROPOSED] ORDER
 CONTINUING DEADLINE TO CONDUCT
 MEDIATION AND CONTINUING CASE
 MANAGEMENT CONFERENCE**

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 24 Plaintiff JAMES B. WHITE and Defendants CITY AND COUNTY OF SAN FRANCISCO
 25 ("CCSF"), HEATHER FONG, DERRICK LEW, DAVID CORREA, and AJAY SINGH in the above-
 26 referenced matter, through their respective counsel, stipulate as follows:

27 On April 2, 2009, at the Case Management Conference, the Court referred the parties to court-
 28 sponsored mediation, which was to be completed in 150 days, or by August 31, 2009. The Court also

1 set a further Case Management Conference for September 3, 2009, at 2:30 p.m., with a Joint Case
2 Management Statement due on August 27, 2009.

3 On April 16, 2009, the Court appointed mediator Christopher Johns of Johns & Allyn. The
4 parties and mediator Johns conferred and agreed on a mediation date of August 27, 2009 in order to
5 allow time for the parties to accomplish some discovery prior to the mediation.

6 Based on an extended illness this summer, counsel for the City and officer defendants (Deputy
7 City Attorney Celia Lee) has been unable to accomplish discovery – written discovery and depositions
8 – prior to a mediation taking place. In addition, counsel for plaintiff White has not yet completed
9 discovery.

10 The parties have met and conferred and agree that based on the foregoing circumstances,
11 additional time is required for discovery to take place prior to a mediation. Accordingly, the parties
12 request that the Court extend the parties' deadline for completing the mediation an additional 120 days,
13 or December 31, 2009. The Court-appointed mediator does not object to the parties' request for a
14 continuance of the mediation deadline.

15 In addition, in light of the foregoing circumstances, the parties agree that the further Case
16 Management Conference set for September 3, 2009 should be continued until after the mediation takes
17 place so that the parties may report to the Court on the mediation, and hereby request that it be so
18 continued.

19 IT IS SO STIPULATED.

20 Dated: August 20, 2009

DENNIS J. HERRERA
City Attorney
JOANNE HOEPER
Chief Trial Deputy
CELIA W. LEE
Deputy City Attorney

-/s/- *Celia W, Lee*

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25 By: _____
CELIA W. LEE
Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO
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2 Dated: August 18, 2009

LAW OFFICES OF GAYLA B. LIBET

3 -/s/- *Gayla B. Libet*

4 By: _____
5 GAYLA B. LIBET
6 Attorneys for Plaintiff JAMES B. WHITE

7 Dated: August 20, 2009

LAW OFFICES OF JOHN L. BURRIS

8 -/s/- *John L. Burris*

9 By: _____
10 JOHN L. BURRIS
11 Attorneys for Plaintiff JAMES B. WHITE
12 *Pursuant to GO 45, the electronic signatory has
13 obtained approval from this signatory.

14 **ORDER**

15 Based on the above stipulation, and for good cause appearing, the deadline to conduct a
16 mediation in this case is continued to and including December 31, 2009.

17 In addition, the Case Management Conference set for September 3, 2009 is hereby continued
18 to January 7, 2010, at 2:30 p.m.

19 Dated: 8/25/09

