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 6 JOHN HOOVER

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 8 IN THE UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 JO DEE SCHMIDT, and
 PAUL SCHMIDT,

No. CV 08 5809 PJH

11 Plaintiffs,

**STIPULATION AND ~~[PROPOSED]~~
 ORDER CONTINUING INITIAL
 CASE MANAGEMENT
 CONFERENCE AND RELATED
 DEADLINES**

12 vs.

Complaint Filed: December 31, 2008

13 JOHN HOOVER, an individual;
 14 CITY OF WALNUT CREEK, a municipal
 corporation; and
 15 DOES 1 through 20, inclusive,

16 Defendants.

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 18 Pursuant to Civil L.R. 6-2, 16-2(e) and 17-12, plaintiffs Jo Dee Schmidt and
 19 Paul Schmidt and defendants John Hoover and the City of Walnut Creek hereby stipulate,
 20 through their counsel, to continue the Initial Case Management Conference from April 9, 2009
 21 to May 28, 2009, or thereafter. The parties further stipulate that the deadlines set forth in the
 22 Order Setting Initial Case Management Conference and ADR Deadlines shall be continued
 23 accordingly, as follows:

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<u>New Date</u>	<u>Event</u>	<u>Governing Rule</u>
May 7, 2009	Last day to: <ul style="list-style-type: none"> meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan file ADR Certification signed by Parties and Counsel (form available at http://www.cand.uscourts.gov) file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference (form available at http://www.cand.uscourts.gov) 	FRCivP 26(f) & ADR L.R. 3-5; Civil L.R. 16-8(b) & ADR L.R. 3-5(b); Civil L.R. 16-8(c) & ADR L.R. 3-5(b) & (c)
May 21, 2009	Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement per Standing Order re Contents of Joint Case Management Statement (also available at http://www.cand.uscourts.gov)	FRCivP 26(a)(1) Civil L.R. 16-9
May 28, 2009	INITIAL CASE MANAGEMENT CONFERENCE (CMC) in Courtroom 3 17 th Flr at 2:30 p.m.	Civil L.R. 16-10

The parties make this stipulation due to the pending motions to dismiss filed by defendants John Hoover and the City of Walnut Creek, which are set for hearing on April 22, 2009. In the event the motions to dismiss are granted without leave to amend, no Case Management Conference will be necessary. It is in the interests of economy and efficiency to all parties and this Court that the Initial Case Management Conference and related deadlines be continued.

There have been no prior continuances of the subject deadlines.

I, Thomas M. Frieder, hereby attest that concurrence in the filing of this document has been obtained from each of the other signatory counsel.

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IT IS SO STIPULATED.

Dated: March 5, 2009

HASSARD BONNINGTON LLP

By /s/ Thomas M. Frieder
Thomas M. Frieder
Attorneys for Defendant
JOHN HOOVER

Dated: March 5, 2009

McNAMARA, DODGE, NEY, BEATTY,
SLATTERY, PFALZER & BORGES

By /s/ Martin J. Ambacher
Martin J. Ambacher, Esq.
Attorneys for Defendant
CITY OF WALNUT CREEK

Dated: March 5, 2009

SCOTT BONAGOSKY, ESQ.

By /s/ Scott Bonagofsky
Scott Bonagofsky, Esq.
Attorneys for Plaintiffs
JO DEE SCHMIDT and PAUL SCHMIDT

ORDER

Pursuant to stipulation, it is so ordered.

DATED: 3/6/09

HONORABLE

