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18 Attorneys for Defendants

19 **UNITED STATES DISTRICT COURT**  
 20 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

21	<b>Francisco Valdez</b> , et al.,	) Case No. C09- 00176KAW
	Plaintiffs,	)
22	vs.	) STIPULATION AND <del>PROPOSED</del> ORDER FOR CONTINUING
23		) TRIAL DATE as modified by the Court
24	<b>City of San Jose</b> , et al.,	)
	Defendants.	)
25		) Trial: <b>June 30, 2014</b>
26	<hr/>	)
27		)
28		)

1 TO THE HONORABLE COURT:

2 The parties to this action, by and through their attorneys of record, Ardel Johnson for  
3 defendants and Jeff Kallis for plaintiffs, hereby stipulate as follows:

- 4 1. On April 7, 2014 upon the Defendant's request, the stipulating parties agreed upon  
5 continuing the Martinez trial to a later date.  
6
- 7 2. On May 6, 2014, the Court was contacted and agreed to September 22, 2014 as the new date  
8 for the Martinez trial.  
9
- 10 3. On May 6, 2014, the Plaintiffs were notified and agreed to September 22, 2014 as the new  
11 date for the Martinez trial.  
12
- 13 4. In accordance with the Defendant's request for continuance of the trial dates and Plaintiff's  
14 agreement thereto, Plaintiff's counsel made other commitments during the time of the original trial  
15 dates.  
16
- 17 5. Defendants have not yet filed the stipulation for continuance of trial with the Court and have  
18 suddenly become available for the original trial date.  
19
- 20 6. Plaintiff's counsel is unable to change the newly scheduled commitments.  
21
- 22 7. Accordingly, the parties request that the trial of this matter be extended from June 30, 2014,  
23 to September 22, 2014 as previously agreed to by opposing counsel and the Court.  
24

25 Date: May 22, 2014

The Law Firm of *Kallis* & Associates, p.c.

26 \_\_\_\_\_/s/\_\_\_\_\_  
M. Jeffery Kallis, for Plaintiffs

27 Date: May 22, 2014

**BUSTAMANTE & GAGLIASSO, P.C.**

28 \_\_\_\_\_/s/\_\_\_\_\_  
Steven M. Berki, for Plaintiffs

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Date: May 22, 2014

San Jose City Attorney's Office

\_\_\_\_\_/s/\_\_\_\_\_  
Ardell Johnson, for Defendants

Date: May 22, 2014

San Jose City Attorney's Office

\_\_\_\_\_/s/\_\_\_\_\_  
Clifford Greenberg, for Defendants

1  
2 Good Cause Showing, the Court Orders that the dates for Jury Trial shall be extended  
3  
4 from June 30, 2014 to September 22, 2014. ~~Should the parties need additional time they are~~  
5 ~~to submit a supplemental stipulation at least 3 Court days prior to June 30, 2014.~~

6 Dated: 05/28/2014

The Honorable Kandis A. Westmore

7  
8   
9 Magistrate Judge  
10 United States District Court  
Northern District Of California

11 Plaintiff certifies that he has received authority from the other parties to submit this Order and  
12 Stipulation.

13 Date: May 6, 2014

The Law Firm of *KALLIS* & Associates, p.c.

14 \_\_\_\_\_/s/\_\_\_\_\_  
15 M. Jeffery Kallis, for Plaintiffs  
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