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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAMARA DOUGHTY, Plaintiff, v. OFFICER MANRIQUE; OFFICER KNUDSEN; OFFICER FREDSTROM; JOHN DOE and RICHARD ROE, individually and in their capacities as police officers for the City of Newark, the identity and number of whom are unknown to plaintiff; RAY SAMUELS, individually and in his capacity as the chief of police of the City of Newark; CITY OF NEWARK, a public entity; DOES 1 to 25, Defendants.	CASE NO. C 09 00425 PJH **STIPULATION AND ORDER TO CONTINUE INITIAL CASE MANAGEMENT CONFERENCE** Ctrm : 5 Judge: Hon. Phyllis J. Hamilton

IT IS HEREBY STIPULATED by and between plaintiff SAMARA DOUGHTY and defendants OFFICER MANRIQUE; OFFICER KNUTSEN (erroneously sued herein as Officer Knudsen); OFFICER FREDSTROM, individually and in their capacities as police officers for the

City of Newark; CITY OF NEWARK; RAY SAMUELS, individually and in his capacity as the chief of police of the City of Newark, through their respective attorneys of record, pursuant to Civil L.R. 6-1(b) and 6-2:

1. That the Case Management Conference currently scheduled to occur in this matter on May 7, 2009, at 2:30 p.m. before the Honorable Phyllis J. Hamilton in Courtroom 5 of the above-referenced court, will be continued to **June 25, 2009**, at 2:30 p.m. before the Honorable Phyllis J. Hamilton in Courtroom 5. This Stipulation is intended to include all pertinent deadlines associated with the Case Management Conference, including the requirements pursuant to Civil Local Rules 16-8 and 16-9, ADR Local Rule 3-5, and Fed. Rule Civil Procedure 26(a)(1) and 26(f).

2. Defendants have filed a Motion to Dismiss Plaintiff's Complaint. The Motion to Dismiss seeks to have entire causes of action and defendants excluded from this action. The Court's ruling on defendants' Motion to Dismiss may significantly impact the scope of plaintiff's complaint, including the defendants involved in this action. The continuation of the initial case management conference and related dates will allow the court to hear and rule on Defendants' Motion to Dismiss, currently on file and set for hearing on May 13, 2009, prior to the deadline for the parties to select an ADR process, complete initial disclosures, and file Rule 26(f) reports. Additionally, this continuation will permit any amended complaint to be filed prior to these deadlines.

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3. The only previous time modification in this matter was a stipulation to extend the time for defendants to answer the complaint.

IT IS SO STIPULATED:

DATED: April 16, 2009 LAW OFFICES OF BOSKOVICH & APPLETON

By: /S/
ANTHONY BOSKOVICH
Attorneys for Plaintiff SAMARA DOUGHTY

DATED: April 16, 2009 SELMAN BREITMAN LLP

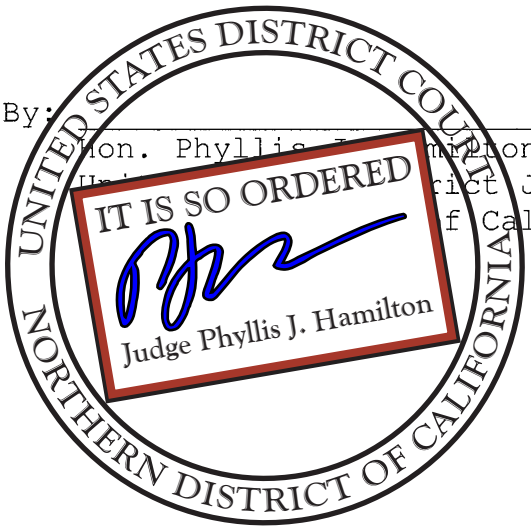
By: /S/
GREGG A. THORNTON
DANIELLE K. LEWIS
Attorneys for Defendants OFFICER MANRIQUE; OFFICER KNUTSEN (erroneously sued herein as Officer Knudsen); OFFICER FREDSTROM; RAY SAMUELS; and CITY OF NEWARK

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 4/6/09

By: _____
Hon. Phyllis J. Hamilton
United States District Judge
Northern District of California



Selman Breitman LLP
ATTORNEYS AT LAW

PROOF OF SERVICE

Doughty v. Manrique, et al.

United States District Court Northern District of California Case No. C 09 00425 PJH

I am employed in the County of San Francisco, State of California. I am over the age of 18 years and am not a party to the within action; my business address is 33 New Montgomery, Sixth Floor, San Francisco, CA 94105. On **April 16, 2009**, I served the following document(s) described as **STIPULATION AND ORDER TO CONTINUE INITIAL CASE MANAGEMENT CONFERENCE** on the interested parties in this action as follows:

Anthony Boskovich, Esq. Law Offices of Anthony Boskovich 28 N. First Street 6th Floor San Jose, CA 9511301210	Attorney for Plaintiff Tel: (408) 286-5150 Fax: (408) 286-5170

☐ **BY MAIL:** By placing a true copy thereof in a sealed envelope addressed as above, and placing it for collection and mailing following ordinary business practices. I am readily familiar with the firm's practice of collection and processing correspondence, pleadings, and other matters for mailing with the United States Postal service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **BY OVERNIGHT COURIER:** I caused the above-referenced document(s) to be delivered to FEDERAL EXPRESS for delivery to the addressee as indicated above.

☒ **BY ELECTRONIC SERVICE**: I transmitted a copy of the foregoing documents(s) via the US District Court website.

☐ **BY FAX**: I transmitted a copy of the foregoing documents(s) via telecopier to the facsimile number of the addressee as indicated above, and the transmission was reported as complete and without error.

☐ **BY PERSONAL SERVICE:** I caused a copy of the foregoing document(s) to be delivered by hand to the offices of the addressee(s).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **April 16, 2009**, at San Francisco, California.

YOLANDA MEDINA

Selman Breitman LLP
ATTORNEYS AT LAW

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