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 10 Attorneys for Plaintiff
 11 L.S., BY AND THROUGH HIS
 12 G.A.L. LAURIAN STUDEVILLE

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

L.S., BY AND THROUGH HIS)
 G.A.L. LAURIAN STUDEVILLE)

Plaintiff,

v.

CITY OF OAKLAND, a municipal)
 corporation; WAYNE TUCKER, In his)
 official capacity as Chief of Police for the)
 City of Oakland, ALAN LEAL, individually,)
 and in his official capacity a police officer for)
 the City of Oakland; and City of Oakland)
 police officers DOES 1-25, inclusive,)

Defendants.)

) Case No.: C 09-03004 CW
)
) STIPULATION & ORDER
) TO CONTINUE CMC & 12(b)(6) HEARING
) DATES

1 THE PARTIES, BY AND THROUGH THEIR ATTORNEYS OF RECORD HEREBY,
2 AGREE TO AND RESPECTFULLY REQUESTED, the Court continue the Initial Case
3 Management Conference and the hearing on Defendant ALAN LEAL'S F.R.C.P 12(b)(6)
4 Motion to Dismiss from the currently scheduled date of November 12, 2009 to December 10,
5 2009, or some later date that is convenient to the Court and the parties.

6 Good cause for continuing the Initial Case Management Conference and Defendant
7 LEAL's Motion to Dismiss is based upon the fact that Plaintiff's counsel is set to begin a jury
8 trial before Magistrate Judge Joseph C. Spero on November 9, 2009. That trial is scheduled to
9 last 5 days and hence plaintiff's counsel will be unavailable to attend the November 12, 2009,
10 conference and hearing before this Court.

11 In light of the foregoing, the parties, by and through their attorneys of record respectfully
12 request this Court continue the November 12, 2009, to December 10, 2009, or some later date
13 that is convenient to the Court and the parties.

14 Dated: October 12, 2009

LAW OFFICES OF JOHN L. BURRIS

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16 /s/

ADANTE D. POINTER
Counsel for the Plaintiff

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20 Dated: October 12, 2009

CITY ATTORNEY'S OFFICE OF
OAKLAND

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23 /s/

CHARLES VOSE
Counsel for the City of Oakland and
Chief Wayne Tucker

1 Dated: October 13, 2009

BURNHAM & BROWN


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3 _____
4 /s/
5 JAMES HIGA
6 Counsel for the Alan Leal

7 **ORDER**

8 The Initial Case Management Conference and the Hearing on Defendant Alan Leal's
9 Motion to Dismiss shall be held on **December 10, 2009, at 2 p.m.**

10 IT IS SO ORDERED.

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12 Dated: October ¹⁵_____, 2009

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15 CLAUDIA WILKEN
16 UNITED STATES DISTRICT COURT JUDGE
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