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14 Attorneys for Defendant  
 15 ALAN LEAL

16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA

18 L.S., by and through his guardian ad litem,  
 19 LAURIAN STUDESVILLE,  
 20  
 21 Plaintiffs,  
 22  
 23 v.  
 24 CITY OF OAKLAND, a municipal  
 25 corporation; WAYNE TUCKER, in his  
 26 official capacity as Chief of Police for the  
 27 City of Oakland; ALAN LEAL, individually,  
 28 and in his capacity as a police officer for the  
 City of Oakland; and City of Oakland police  
 officers DOES 1-25, inclusive,  
 Defendants.

Case No. C09-03004 CW

**STIPULATION AND ORDER TO  
 CONTINUE DATE FOR COMPLETION  
 OF MEDIATION**

29 WHEREAS, on July 2, 2009, Plaintiff filed his Complaint in the above-captioned matter;

30 WHEREAS this Court had previously set a Court-connected mediation completion date  
 31 of December 23, 2009, and had assigned Gail Killefer, Esq. as the Court-appointed mediator to  
 32 hear this matter;

33 ///  
 34 ///

1 WHEREAS, on November 3, 2009, Ms. Killefer initiated a premediation conference call  
2 with respective counsel for each party in the effort to preview the case and to set a date for  
3 mediation;

4 WHEREAS, on November 3, 2009, Defendant ALAN LEAL's Motion to Dismiss  
5 Pursuant to Fed. R. Civ. Proc. 12(b)(6) was still pending, and, consequently, the nature of claims  
6 pending and parties involved in the case at that time remained uncertain and in dispute;

7 WHEREAS, on November 3, 2009, in light of Defendant ALAN LEAL's pending  
8 Motion, Ms. Killefer and respective counsel for each party agreed the matter was not ready for  
9 mediation, and, accordingly, set a further premediation conference call for January 5, 2010,  
10 assuming all issues regarding parties and claims would be resolved by that time.

11  
12 THE PARTIES, BY AND THROUGH THEIR RESPECTIVE COUNSEL OF  
13 RECORD, DO HEREBY STIPULATE, AGREE AND RESPECTFULLY SUBMIT TO THE  
14 COURT THAT:

15 The deadline for completion of Court-connected mediation be continued to March 31,  
16 2010, or such other time as the Court deems appropriate.

17 IT IS SO STIPULATED.

18 DATED: December 22, 2009

BURNHAM BROWN

19  
20  
21 By \_\_\_\_\_/s/\_\_\_\_\_  
22 JAMES Y. HIGA  
23 Attorneys for Defendant  
ALAN LEAL

24 DATED: December 22, 2009

OAKLAND CITY ATTORNEY'S OFFICE

25  
26 By \_\_\_\_\_/s/\_\_\_\_\_  
27 CHARLES E. VOSE  
28 Attorneys for Defendant  
CITY OF OAKLAND and WAYNE TUCKER

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DATED: December 22, 2009

LAW OFFICES OF JOHN L. BURRIS

By \_\_\_\_\_ /s/ \_\_\_\_\_

ADANTE D. POINTER  
Attorneys for Plaintiff  
L.S., by and through his guardian ad litem,  
LAURIAN STUDESVILLE

DATED: December 30, 2009



\_\_\_\_\_  
HONORABLE CLAUDIA WILKEN  
JUDGE OF THE UNITED STATES DISTRICT  
COURT

I hereby attest that I have on file all holograph signatures for any signatures indicated by  
a “conformed” signature (/s/) within this efiled document.

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