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6  
 7 Attorneys for Plaintiff,  
 MARTIN WATTERS

8  
 9 **IN THE UNITED STATES DISTRICT COURT**  
 10 **IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA**

11  
 12 MARTIN WATTERS, an individual,

13 Plaintiff,

14 v.

15  
 16 CITY OF COTATI; COTATI POLICE  
 DEPARTMENT; DAVID HOUTS, in  
 17 his individual capacity; ANDREW  
 LYSSAND, in his individual capacity;  
 18 ERIC BILCICH, in his individual  
 capacity; and DOES 1-50 inclusive,

19 Defendants.  
 20

Case No. 4:10-cv-02574-SBA (LB)

11 **STIPULATION AND**  
 12 **~~PROPOSED~~ ORDER TO CONTINUE**  
 13 **SETTLEMENT CONFERENCE**

14 SC Date: March 15, 2011

15 SC Time: 9:30 a.m.

16 Location: Courtroom 4, 3<sup>rd</sup> Floor  
 1301 Clay Street, Oakland, CA

17 Before: US Magistrate Judge L. Beeler

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 19  
 20  
 21 **THE PARTIES AND THEIR RESPECTIVE COUNSEL HEREBY STIPULATE**  
 22 **TO THE FOLLOWING:**

23 1. Plaintiff's Counsel, Etan E. Rosen, has been unable to discuss matters with his client  
 24 after several attempts, and therefore has conferred with Defendants' Counsel, Steven C. Mitchell,  
 25 and an agreement was reached that the further Settlement Conference scheduled for this case on  
 26 March 15, 2011 at 9:30 a.m., be continued after Plaintiff's Counsel's Motion to Withdraw hearing  
 27 scheduled for this case on April 12, 2011 at 1:00 p.m., to a date and time which the Court may select  
 28 at the Court's discretion.

2. In order to handle this continuance expeditiously and not waste the Court's valuable  
 4:10-cv-02574-SBA (LB)

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1 time, parties hereby submit this Stipulation and [Proposed] Order rather than by a Notice of Motion.

2 3. To comply with the Judge's Notice and Order Re: Further Settlement Conference, and  
3 in accordance with the Judge's calendar, below are alternate dates for the continuance:

4 May 24, 2011 at 9:30 a.m.

5 May 25, 2011 at 9:30 a.m.

6 4. Pursuant to local rule of the Court, "any change in the hearing date does not alter the  
7 original briefing schedule unless otherwise ordered by the Court."

8  
9 It is so stipulated:

10 Dated: 2/10/2011

/S/ Etan E. Rosen

11 ETAN E. ROSEN, ESQ.

12 Attorney for Plaintiff

13  
14 Dated: 2/10/2011

/S/ Steven C. Mitchell

15 STEVEN C. MITCHELL, ESQ.

16 Attorney for Defendants

17  
18  
19 **IT IS HEREBY ORDERED**, that the Settlement Conference on March 15, 2011 be  
20 continued to a date after Plaintiff's Counsel's Motion to Withdraw hearing on April 12, 2011.

21 The Settlement Conference is hereby continued to May 24, 2011, at 10:30 a.m./~~p.m.~~  
22 in Courtroom 4.

23  
24 **IT IS SO ORDERED.**

25 Dated: February 14, 2011

26 Hon. Judge of the United States District Court,  
27 Judge Laurel Beeler  
28 Northern District of California



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