

1 SANFORD M. CIPINKO, Esq., SBN 88102
 2 YULIYA MAGOMEDOV, Esq., SBN 251964
 LAW OFFICES OF SANFORD M. CIPINKO
 3 55 FRANCISCO STREET, SUITE 403
 SAN FRANCISCO, CA 94133
 4 VOICE: (415) 693-9905
 FACSIMILE: (415) 693-9904

5 Attorneys for Plaintiff
 6 GIANNI PASSAKOS

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 GIANNI PASSAKOS,)
 12 Plaintiff,)
 13 vs.)
 14 COUNTY OF ALAMEDA; and DOES 1-)
 15 50,)
 16 Defendants.)

Case No.: C10-04062 CW

**STIPULATION TO CONTINUE CASE
 MANAGEMENT CONFERENCE AND
 ORDER**

17 The undersigned hereby stipulate as follows:

18 This lawsuit arises from a physical altercation between the plaintiff and deputy
 19 sheriffs which occurred at the Santa Rita jail. The plaintiff has been charged with a
 20 violation California Penal Code § 148 as a result of that altercation. That criminal action
 21 is presently pending and has been set for trial in June 2011. While the criminal action is
 22 pending, plaintiff will not testify to any issues related to the altercation which is the subject
 23 of both actions.

24 Plaintiff's counsel of record in this action, Sanford Cipinko, Esq., was on medical
 25 leave for a month and scaled back his law practice. As a result, he can no longer
 26 represent the plaintiff in this action, and has been assisting the plaintiff to find new
 27 counsel. However, to date and to the best of plaintiff's counsel's knowledge, plaintiff has

1 been unable to find new counsel to represent him in this action. Thus, Plaintiff's counsel
2 is filing a Motion to Withdraw as Attorney of Record concurrently with this Stipulation.

3 For the forgoing reasons, the parties hereby request that the court continue the
4 case management conference set for June 28, 2011 at 2:00 p.m. to August 9, 2011 at
5 2:00 p.m. until after the Plaintiff's counsel's Motion to Withdraw has been heard.

6 DATED: June 21, 2011

LAW OFFICES OF SANFORD M. CIPINKO

7
8
9 By: /s/Sanford M. Cipinko
SANFORD M. CIPINKO, ESQ.
Attorneys for Plaintiff

10 DATED: June 21, 2011

11 BOORNAZIAN, JENSEN & GARTHE
12 A Professional Corporation

13 By: /s/Gregory J. Rockwell¹
14 GREGORY J. ROCKWELL, ESQ.
15 Attorneys for Defendant
16 COUNTY OF ALAMEDA

17 **ORDER**

18 Good Cause appearing therefore, the Case Management Conference set for June
19 28, 2011 at 2:00 p.m. in action 10-04062CW is hereby continued to August 9, 2011 at
20 2:00 p.m. The parties shall file a joint case management conference statement no later
21 than August 2, 2011.

22 Dated: 6/23/2011

23 
24 _____
CLAUDIA WILKEN
25 United States District Judge

26
27 _____
28 ¹ Defendant's counsel agree to this stipulation and authorized defense counsel to place his electronic signature on this stipulation.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE BY ELECTRONIC SERVICE

I am a resident of the State of California, over the age of 18 years and not a party to the within action. My business address is Law Offices of Sanford M. Cipinko, 55 Francisco Street, Suite 403, San Francisco, California 94133.

On the date indicated below, at the above-referenced business location, I served the **STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE AND ORDER** on the below-named party and caused said document to be transmitted using ECF as specified by General Order No. 45 to the following party:

GREGORY J. ROCKWELL, ESQ. **Attorneys for Defendant**
grockwell@bjg.com
JILL P. SAZAMA, ESQ.
jsazama@bjg.com
BOORNAZIAN, JENSEN & GARTHE
A Professional Corporation/File
#26525
555 12th Street, Suite 1800
Oakland, CA 94607
Telephone: (510) 834-4350
Facsimile: (510) 839-1897

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

Executed at San Francisco, California, on June 21, 2011.

Jack LaFrancesca
Jack LaFrancesca