

1 DALE L. ALLEN, JR., SBN 145279  
 2 DIRK D. LARSEN, SBN 246028  
 3 LOW, BALL & LYNCH  
 4 505 Montgomery Street, 7th Floor  
 5 San Francisco, California 94111-2584  
 Telephone (415) 981-6630  
 Facsimile (415) 982-1634  
 dallen@lowball.com  
 dlarsen@lowball.com

BRIAN D. SUDANO, SBN 255427  
 SUDANO LAW FIRM  
 540 Lennon Lane  
 Walnut Creek, California 94598  
 Telephone (925) 849-4183  
 Facsimile: (925) 849-4185  
 Email: [bsudano@sudanolaw.com](mailto:bsudano@sudanolaw.com)

Attorneys for Plaintiffs  
 SEAN PRYOR

6 Attorneys for Defendants  
 7 CITY OF CLEARLAKE a governmental entity,  
 8 CARL MILLER, individually, and in his capacity  
 9 as a police officer for the City of Clearlake and  
 10 acting sergeant,  
 11 ALAN WADE McCLAIN, individually, and in his  
 12 capacity  
 as Chief of Police for City of Clearlake, CRAIG  
 13 CLAUSEN,  
 14 individually and in his capacity as Police  
 15 Lieutenant for City of Clearlake,  
 16 MICHAEL RAY, individually and in his capacity  
 17 as a police officer for the City of Clearlake

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA

16 SEAN PRYOR,

17 Plaintiffs,

18 vs.

19 CITY OF CLEARLAKE a governmental entity,  
 20 CARL MILLER, individually, and in his capacity )  
 as a police officer for the City of Clearlake and )  
 21 acting sergeant, ALAN WADE McCLAIN, )  
 individually, and in his capacity as Chief of Police )  
 22 for City of Clearlake, CRAIG CLAUSEN, )  
 individually and in his capacity as Police )  
 23 Lieutenant for City of Clearlake, MICHAEL RAY, )  
 24 individually and in his capacity as a police officer )  
 for the City of Clearlake, and DOES 1 through 50, )  
 25 individually, and in their capacity as police officers )  
 for the city of Clearlake. )

26 Defendants. )

) Case No.: CV11-0954 CW  
 )  
 ) STIPULATION AND [~~PROPOSED~~] ORDER  
 ) CONTINUING MEDIATION  
 )

27 ///

28 ///

**STIPULATION TO CONTINUE MEDIATION**

1  
2 In its Order dated June 9, 2011, this Court ordered mediation to commence no later than  
3 September 30, 2011 (or as soon thereafter as is convenient for the mediator's schedule.) (*See*, Docket  
4 Number 16.) Despite diligence by all parties, Plaintiff SEAN PRYOR ("Plaintiff") and Defendants  
5 CITY OF CLEARLAKE, CARL MILLER, CRAIG CLAUSEN, MICHAEL RAY and ALLAN  
6 WADE MCCLAIN ("Defendants") have been unable to complete sufficient discovery in time to  
7 commence mediation by September 30th. MICHAEL RAY's deposition took place on September 21,  
8 2011 and CRAIG CLAUSEN's deposition took place on September 22, 2011. The depositions of  
9 Plaintiff and CARL MILLER will be completed thereafter, as will the deposition of ALLAN WADE  
10 MCCLAIN, if necessary.

11 ///  
12 ///  
13 ///  
14 ///  
15 ///  
16 ///  
17 ///  
18 ///  
19 ///  
20 ///  
21 ///  
22 ///  
23 ///  
24 ///  
25 ///  
26 ///  
27 ///  
28 ///

1 Pursuant to ADR Local Rule 6-5 and Local Rule 7-11, Plaintiff and Defendants hereby  
2 stipulate as follows, and respectfully request that the Court enter an order pursuant to their stipulation:

- 3 1. That the Mediation scheduled to commence no later no later than September 30, 2011  
4 (or as soon thereafter as is convenient for the mediator's schedule), be rescheduled to  
5 commence no later than October 30, 2011 (or as soon thereafter as is convenient for the  
6 mediator's schedule).

7  
8 SO STIPULATED.

9  
10 Dated: September 23, 2011.

11 LOW, BALL & LYNCH

12  
13 By 

14 DALE L. ALLEN, JR.  
15 DIRK D. LARSEN  
16 Attorneys for Defendants  
17 CITY OF CLEARLAKE a governmental entity,  
18 CARL MILLER, individually, and in his capacity  
19 as a police officer for the City of Clearlake and  
20 acting sergeant, ALAN WADE McCLAIN,  
21 individually, and in his capacity as Chief of Police  
22 for City of Clearlake, CRAIG CLAUSEN,  
23 individually and in his capacity as Police Lieutenant  
24 for City of Clearlake, MICHAEL RAY,  
25 individually and in his capacity  
26 as a police officer for the City of Clearlake

27  
28 Dated: September 23, 2011.

LAW OFFICES OF BRIAN SUDANO

By 

BRIAN SUDANO  
Attorneys for Plaintiff  
SEAN PRYOR

1 **[PROPOSED] ORDER**

2 Pursuant to the stipulation of the parties herein, it is HEREBY ORDERED that the Mediation  
3 currently scheduled to commence no later no later than September 30, 2011 (or as soon thereafter as is  
4 convenient for the mediator's schedule), be rescheduled to commence no later than October 30, 2011  
5 (or as soon thereafter as is convenient for the mediator's schedule).

6  
7 PURSUANT TO STIPULATION, IT IS SO ORDERED.

8  
9 Dated: September 27, 2011.

10  
11   
12 \_\_\_\_\_  
13 HON. CLAUDIA WILKEN  
14 U.S. DISTRICT COURT JUDGE

15 cc: ADR  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28