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 5 *Admitted *pro hac vice*

6
 7 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA

8 YVETTE FELARCA, et al.

CASE NO.: 4:11-cv-05719-YGR

9 Plaintiffs,

**STIPULATION AND PROPOSED
 ORDER TO REVISE CASE
 SCHEDULE**

10 vs.

11 ROBERT J. BIRGENEAU, et al.,

Date: November 20, 2012

Time: 2:00 p.m.

Ctrm: TBD

Judge: Hon. Yvonne Gonzalez Rogers

12 Defendants.
 13 _____

14 The parties, by and through their respective counsel, stipulate as follows:

15 **I. RECITALS**

16 1. On October 17, 2012, this Court ordered the following schedule for this case, per
 17 the parties' stipulation, which was entered at the request of the plaintiffs:

18 i. Oppositions to motions filed in response to the Amended

19 Complaint were due on October 23, 2012.

20 ii. Replies to oppositions to motions filed in response to the Amended

21 Complaint are due on November 6, 2012.

22 iii. Hearings on any motions filed in response to the Amended

23 Complaint shall take place on Tuesday, November 20, 2012, at 2

24 p.m.

- 1 iv. The Case Management Conference is set for December 3, 2012.
- 2 2. This was the second postponement of the current proceedings. The hearing on
3 motions filed in response to the Amended Complaint had previously been
4 scheduled for November 13, 2012, and the Case Management Conference (CMC)
5 had previously been scheduled for September 10, 2012.
- 6 3. Counsel for plaintiffs have requested that defendants stipulate to a rescheduling of
7 the November 20 hearings and the December 3 Initial Case Management
8 Conference. Plaintiffs' lead counsel, Shanta Driver, has been invited to speak at
9 an international conference in London November 21, 2012, the day after the
10 current hearing date for motions responding to the Amended Complaint. She also
11 will prepare for and appear at an immigration hearing in London that week.
- 12 4. The motions to dismiss, if granted, would narrow the issues of this case before the
13 Case Management Conference.
- 14 5. Counsel for the parties have agreed to stipulate to the following briefing schedule,
15 subject to the Court's approval: any replies to oppositions to motions would be
16 due November 13, 2012. (Previously, the Court granted an extension that
17 provided plaintiffs an additional week to prepare their oppositions; this date
18 change would similarly give defendants an additional week to prepare their
19 replies.)
- 20 6. The attorneys have consulted and determined that we are all jointly available on
21 December 4, 2012 for the hearing on motions to dismiss.
- 22 7. The attorneys have consulted and determined that we are all jointly available on
23 December 17, 2012, or a later Monday, for the Initial Case Management
24 Conference.

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II. STIPULATION

- 1. Any replies to oppositions to motions filed in response to the Amended Complaint shall be due on November 13, 2012.
- 2. Hearings on any motions filed in response to the Amended Complaint shall take place on Tuesday, December 4, 2012 at 2 p.m., or at such other time as the Court may order.
- 3. The Initial Case Management Conference shall take place on Monday, December 17, 2012 at 2 p.m., or at such other time as the Court may order.

By the parties' attorneys IT IS SO STIPULATED,

Date: October 30, 2012

SCHEFF, WASHINGTON & DRIVER

By /s/ Ronald Cruz
RONALD CRUZ
Attorneys for Plaintiffs

Date: October 30, 2012

ANDRADA & ASSOCIATES

By Lynn C. Stocker
LYNNE C. STOCKER
Attorneys for Defendants
GREGORY AHERN, OFFICER
CHAVEZ, OFFICER GARCIA, OFFICER
KING and OFFICER OBICHERE

Dated: October 30, 2012

CROWELL & MORING, LLP

By Janine L. Scancarelli
JANINE L. SCANCARELLI
Attorneys for Defendants
ROBERT J. BIRGENEAU, GEORGE
BRESLAUER, HARRY LE GRANDE,

- 1 1. Any replies to oppositions to motions filed in response to the Amended Complaint shall
2 be due on November 13, 2012.
- 3 2. Hearings on any motions filed in response to the Amended Complaint shall take place on
4 Tuesday, December 4³, 2012 at 2 p.m., or at such other time as the Court may order.
- 5 3. The Initial Case Management Conference shall take place on Monday, December 17,
6 2012 at 2 p.m., or at such other time as the Court may order.

7 By the parties' attorneys IT IS SO STIPULATED,

8 Date: October 30, 2012

SCHEFF, WASHINGTON & DRIVER

9
10 By /s/ Ronald Cruz
11 RONALD CRUZ
Attorneys for Plaintiffs

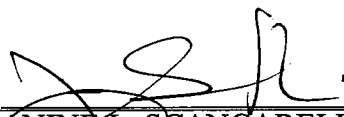
12 Date: October 30, 2012

ANDRADA & ASSOCIATES

13
14 By LYNNE G. STOCKER
15 Attorneys for Defendants
16 GREGORY AHERN, OFFICER CHAVEZ,
OFFICER GARCIA, OFFICER KING and
OFFICER OBICHERE

17
18 Dated: October 30, 2012


CROWELL & MORING, LLP

19
20 By 
21 JANINE L. SCANCARELLI
Attorneys for Defendants
22 ROBERT J. BIRGENEAU, GEORGE
BRESLAUER, HARRY LE GRANDE, LINDA
WILLIAMS, JOHN WILTON, CLAIRE
HOLMES, MITCHELL CELAYA

23 Dated: October 30, 2012

LACKIE, DAMMEIER, MCGILL & ETHIR, APC

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By 
RUSSELL M. PERRY
Attorneys for Defendants
OFFICER N. HERNANDEZ, OFFICER
LACHLER and DETECTIVE RICK FLORENDO

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____, 2012

Hon. Yvonne Gonzalez Rogers
United States District Court Judge