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ATTORNEYS FOR PLAINTIFFS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAMANDA DORGER, INDIVIDUALLY AND
AS SUCCESSOR-IN-INTEREST TO THE
ESTATE OF RICHARD POCCIA;
GABRIELLE POCCIA,

Plaintiffs,

v.

CITY OF NAPA; NAPA POLICE CHIEF
RICHARD MELTON, IN HIS INDIVIDUAL
AND OFFICIAL CAPACITY; NAPA POLICE
OFFICER BRAD BAKER; NAPA POLICE
OFFICER NICK DALESSI; and DOES 1
through 25,

Defendants.

Case No. c-12-0440-YGR
Revised
**STIPULATION AND ~~[PROPOSED]~~
ORDER CONTINUING
BRIEFING SCHEDULE AND HEARING
ON DEFENDANTS' MOTION TO
DISMISS AND DATE FOR FILING CMC
STATEMENT AND CMC**

TO THE HONORABLE COURT:

The parties are cooperating in good faith in meeting and conferring on the issues raised in the motion to dismiss and additional time is necessary to allow this process to be completed. The parties have informally exchanged a significant volume of documents that also have to be reviewed and analyzed in the context of the motion to dismiss.

The parties, by and through their attorneys of record, hereby stipulate and respectfully request that the hearing on Defendants' Motion to Dismiss, currently set for May 1, 2012, be

1 continued to May 15, 2012.

2 Plaintiffs' opposition will be filed on or before May 1, 2012, and Defendants' reply will be
3 filed on or before May 8, 2012.

4 In addition, to permit time to complete the briefing and hearing on the motion, the parties
5 respectfully request that the Case Management Conference, currently set for April 30, 2012, be
6 continued to June 18, 2012.

7 The parties will file a joint Case Management Conference Statement on or before June 4,
8 2012.

9
10 Dated: April 13, 2012

WALKUP, MELODIA, KELLY & SCHOENBERGER

11
12 /s/ Khaldoun A. Baghdadi

13 KHALDOUN A. BAGHDADI
14 Attorneys for Plaintiffs

15 Dated: April 13, 2012

FOX BERTRAND & ELLIOT

16
17
18 /s/ Gregory Fox

19 GREGORY FOX
20 Attorneys for Defendants

21 ATTORNEY ATTESTATION

22 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
23 "conformed" signature (/s/) within this E-filed document.
24

25 Dated: April 13, 2012

/s/ Khaldoun A. Baghdadi
KHALDOUN A. BAGHDADI

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~~PROPOSED~~ ORDER

Having considered the stipulated request of the parties, the Court orders as follows:

1. The hearing on Defendants’ Motion to Dismiss, currently set for May 1, 2012, be continued to May 15, 2012. Plaintiffs’ opposition ~~will~~^{shall} be filed on or before May 1, 2012, and Defendants’ reply ~~would~~^{shall} be filed on or before May 8, 2012.

2. The Case Management Conference, currently set for April 30, 2012, is hereby continued to June ~~18~~²⁵, 2012. The parties will file a joint Case Management Conference Statement on or before June ~~4~~¹¹, 2012.

IT IS SO ORDERED.

DATED: April 16, 2012



THE HONORABLE YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE