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9 Attorneys for Plaintiff  
 10 PETER DIXON

11 **UNITED STATES DISTRICT COURT**  
 12 **NORTHERN DISTRICT OF CALIFORNIA**

13 PETER DIXON individually, )  
 14 )  
 15 Plaintiff, )  
 16 )  
 17 vs. )  
 18 )  
 19 CITY OF OAKLAND and the )  
 20 OAKLAND POLICE DEPARTMENT, )  
 21 public entities, SERGEANT BERNARD )  
 22 ORTIZ, OFFICER STEVEN TORIBIO, )  
 23 OFFICER PATRICK GERRANS, )  
 24 OFFICER ROBERT GERRANS, )  
 25 OFFICER R. GARCIA, PERSONAL )  
 26 PROTECTIVE SERVICES, INC., a )  
 27 California corporation, DEMONT )  
 28 MARROW, STANLEY TEETS, )  
 MEREDITH WILSON, RENE GARCIA, )  
 LADALE SLOCUM and DOES 5 )  
 through 10, individually, jointly and )  
 severally, )  
 Defendants. )

Case No. C12-5207 DMR

**STIPULATION AND (PROPOSED)  
 ORDER TO AMEND CASE  
 MANAGEMENT ORDER**

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1 ALL PARTIES, THROUGH THEIR RESPECTIVE COUNSEL OF RECORD, HEREBY  
2 STIPULATE, AND REQUEST THIS COURT TO ORDER, THAT the case management order  
3 be amended as follows:

4 This is a complex civil rights case with 10 individual Defendants and 6 remaining Doe  
5 Defendants. The parties have exchanged initial disclosures, exchanged written discovery, and  
6 have subpoenaed records. Plaintiff has taken eight depositions. Defendants have completed  
7 Plaintiff's deposition. The depositions of the remaining Defendants must still be completed.  
8

9 Defendant Oakland Police Sergeant Bernard Ortiz continues to suffer from serious health  
10 issues for which his healthcare providers have ordered him off work. Due to these serious health  
11 issues he has been unable to participate in a deposition thus far. These health issues are ongoing,  
12 and at this time Defendant Ortiz is uncertain as to when they will be resolved.

13 Trial in this case is currently set for July 7, 2014. The parties currently have a settlement  
14 conference scheduled in this matter for February 13, 2013 with the Honorable Nathanael M.  
15 Cousins. Expert reports are subsequently due February 25, 2014, rebuttal expert reports are due  
16 on March 11, 2014 and expert discovery will close on March 25, 2014. Fact discovery is set to  
17 close on February 25, 2014.  
18

19 In order to maximize the chances of settlement, to avoid incurring otherwise unnecessary  
20 costs, and in light of Defendant Ortiz's continuing health condition, the parties stipulate to  
21 continue the deadlines for completion of expert discovery and for a modest extension of the  
22 deadline for completion of fact discovery. This is the second request for extension of such  
23 deadlines. The parties do not anticipate that such an extension will affect the trial date of July 7,  
24 2014.  
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1 Therefore, the parties respectfully request that this Court continue the current deadlines in  
2 this matter as follows:

3	4	5	6
	<b>Deadline Description</b>	<b>Current Deadline/Date</b>	<b>Proposed Modified Deadline/Date</b>
6	Completion of Fact Discovery	February 25, 2014	March 11, 2014
7	Disclosure of Expert Witnesses' Identities and Reports	February 25, 2014	April 8, 2014
8	Dispositive Motion Hearing Deadline	April 24, 2014	No change
9	Settlement Conference	February 13, 2014	No change
10	Disclosure of Rebuttal Expert Witnesses' Identity and Reports	March 11, 2014	April 22, 2014
11	Completion of Expert Discovery	March 25, 2014	June 2, 2014
12	Pretrial Conference	March 18, 2014	June 25, 2014 at 3:00 p.m. <del>Any appropriate time per the Court's schedule</del>
13	Trial	July 7, 2014	No change

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16 SO STIPULATED:

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18 DATED: January 21, 2014

HADDAD & SHERWIN

/s/ Michael J. Haddad\*

\_\_\_\_\_  
MICHAEL J. HADDAD

Attorneys for Plaintiff PETER DIXON

19  
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21  
22 DATED: January 21, 2014

OFFICE OF THE CITY ATTORNEY OF  
OAKLAND

/s/ Arlene M. Rosen\*

\_\_\_\_\_  
ARLENE M. ROSEN, Senior Deputy City Attorney  
Attorneys for Defendants CITY OF OAKLAND,  
BERNARD ORTIZ, STEVEN TORIBIO, PATRICK  
GERRANS, ROBERT GERRANS and R. GARCIA

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DATED: January 21, 2014

BREMER WHYTE BROWN & O'MEARA LLP

/s/ Lance Pedersen\*

LANCE PEDERSEN

Attorneys for Defendants PERSONAL  
PROTECTIVE SERVICES, INC., DEMONT  
MARROW, STANLEY TEETS, LADALE  
SLOCUM, MEREDITH WILSON and RENE  
GARCIA

\*Mr. Haddad, Ms. Rosen and Mr. Pedersen provided their consent that this document be electronically filed.

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**(PROPOSED) ORDER**

Pursuant to stipulation of the parties and good cause appearing therefore, IT IS SO ORDERED.

Dated: January 27, 2014 \_\_\_\_\_

