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5 Counsel for Plaintiff
RUBEN SUMERA

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 RUBEN SUMERA,)	No. C-13-1950-KAW
)	
11 Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	CONTINUING CMC (as modified by the Court)
12 v.)	Date: September 1, 2015
)	Time: 1:30 p.m.
13 ERIC H. HOLDER, JR., et al.,)	
)	
14 Defendants.)	
)	
15 _____)	

16 **Recitals**

- 17 1. The continued Case Management Conference herein is currently scheduled for
 18 September 1, 2015 at 1:30 p.m. in this Court.
- 19 2. Plaintiff's counsel has a late-arising calendar conflict of which just learned and is
 20 unable to reschedule in San Joaquin County.
- 21 3. By stipulation the parties agree, at the request of Plaintiff's counsel, to continue
 22 the September 1, 2015, case management conference to September 8, 2015.
- 23 4. The parties underwent mediation with mediator Richard S. Whitmore on August
 24 12, 2015. The case did not settle, but there is a follow-up series of calls planned between
 25 counsel and the mediator for September 8-10, 2015. Discovery closes September 7, 2015, and
 26 third-party witness Karl Hense will be deposed on August 27, 2015.
- 27 5. Accordingly, the parties have stipulated and agreed, with the Court's approval,
 28 that the Case Management Conference be postponed for one week, from its presently

1 scheduled date; or otherwise to an appropriate date as the Court may select.

2 **Stipulation**

3 It is hereby stipulated between the Plaintiff and Defendant that the Case Management
4 Conference shall be continued to September 8, 2015, at 1:30 p.m., in the Oakland Courthouse,
5 1301 Clay Street, Oakland, CA 94612, or upon such date as the Court may deem appropriate.

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8 Date: August 25, 2015

Russell A. Robinson /s/
By: Russell A. Robinson
Law Office of Russell A. Robinson
Counsel for Plaintiffs
RUBEN SUMERA

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12 Date: August 25, 2015

/s/
By: Michelle Lo
Assistant United States Attorney
Northern District of California
Attorney for Defendant
ERIC H. HOLDER, JR.

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16 **Order**

17 **PURSUANT TO STIPULATION,**

18 The Case Management Conference shall be continued to September ¹⁵8, 2015, at 1:30
19 p.m., at the Oakland Courthouse, 1301 Clay Street, Oakland, CA 94612, with a joint statement
20 due no later than September ⁸1, 2015.

21 **IT IS SO ORDERED.**

22 Date: August 26, 2015


Hon. Kandis A. Westmore
U.S. MAGISTRATE JUDGE