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6 Attorneys for Defendants
7 Chief Walter N. Schuld, Brian Bubar

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

11 RICARDO ZEPEDA,
12 Plaintiff,

13 vs.

14 WALTER N. SCHULD, CHIEF OF SAN
PABLO POLICE DEPART., BRIAN
15 BUBAR, DIRECTOR, WEST CONTRA
COSTA NARCOTICS ENFORCEMENT
16 TEAM, SAN PABLO POLICE, OFFICER
BAYSE, WEST CONTRA COSTA
17 NARCOTICS ENFORCEMENT TEAM
(WESTNET), SAN PABLO POLICE
18 OFFICER, OFFICER ROCKY,
(MEXICAN PONY TAIL), WEST
19 CONTRA COSTA NARCOTICS
ENFORCEMENT TEAM (WESTNET),
20 SHAWN PATE, ASST. DIST. ATTY.,
SPECIAL RESPONSE TEAM (SRT),
21 RICHMOND POLICE DEPT., CHIEF
MAGNUS, CHIEF OF RICHMOND
22 POLICE DEPT., AND JOHN DOE 1-50,

23 Defendants.

Case No. C13-5761 KAW

**DEFENDANTS' JOINT STIPULATION
AND [~~PROPOSED~~] ORDER TO
CONTINUE THE CASE MANAGEMENT
CONFERENCE AS MODIFIED**

Judge: Hon. Kandis A. Westmore

25 Defendants, BRIAN BUBAR and WALTER N. SCHULD ("San Pablo Defendants"), as
26 well as Defendants, RICHMOND CHIEF OF POLICE CHRIS MAGNUS and the RICHMOND
27 POLICE DEPARTMENT ("Richmond Defendants), by and through their respective attorneys of

28 DEFENDANTS' JOINT STIPULATION AND ORDER
TO CONTINUE THE CASE MANAGEMENT
CONFERENCE, C13-5761 KAW

1 record, hereby stipulate to the following¹:

- 2 1. WHEREAS on May 8, 2017, the Court granted both San Pablo Defendants' and
3 Richmond Defendants' motions to dismiss Plaintiffs second amended complaint
4 ("SAC"), without prejudice. (ECF-84.)
- 5 2. WHEREAS in that same Order issued by the Court on May 8, 2017, the Court gave
6 Plaintiff until July 17, 2017 to file his third amended complaint. (ECF-84).
- 7 3. WHEREAS there is currently a Case Management Conference set to be heard in this
8 action on May 30, 2017, before Plaintiff's July 17, 2017, deadline to file his third
9 amended complaint.
- 10 4. WHEREAS there will likely be little to no action in this case to be discussed at a CMC
11 until after Plaintiff files his third amended complaint.
- 12 5. WHEREFORE, there is good cause to continue this Further Case Management
13 Conference in this matter, the Defendants, by and through their respective counsel,
14 respectfully seek an Order from the Court to continue the Further Case Management
15 Conference to Tuesday, July 22, 2017.

16 IT IS SO STIPULATED

17 The parties (Defendants) attest that the concurrence in the filing of these documents has
18 been obtained from each of the other Signatories, which shall serve in lieu of their signatures on
19 the document.

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¹ Since Plaintiff is currently acting in pro se, this is a Defendant only Joint Stipulation and Proposed Order.
DEFENDANTS' JOINT STIPULATION AND ORDER
TO CONTINUE THE CASE MANAGEMENT
CONFERENCE, C13-5761 KAW

1 Dated: May 17, 2017

MCNAMARA, NEY, BEATTY, SLATTERY,
BORGES & AMBACHER LLP

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By: /s/ Rothman, Amy

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Noah G. Blechman

5

Amy S. Rothman

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Attorneys for Defendants

Chief Walter N. Schuld, Brian Bubar

7 Dated: May 17, 2017

MOSCONE EMBLIDGE & OTIS LLP

8

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By: /s/ Yan, Matthew

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Matthew K. Yan

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Attorney for Defendants

Richmond Police Department and Richmond Police

Chief Chris Magnus

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ORDER

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PURSUANT TO THE DEFENDANTS' STIPULATION, IT IS HEREBY ORDERED AS

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FOLLOWS:

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The Further Case Management Conference set for May 30, 2017, is hereby continued to

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August 29, 2017 at 1:30 p.m. The parties are to file the further case management conference

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statement no later than one week prior to this conference.

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IT IS SO ORDERED

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Dated: 5/23 , 2017

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By: *Kandis Westmore*

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KANDIS A. WESTMORE

US MAGISTRATE JUDGE

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