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 CITY AND COUNTY OF SAN FRANCISCO (including  
 SAN FRANCISCO POLICE DEPARTMENT),  
 9 GREG SUHR, CRAIG TIFFE, and ERIC REBOLI

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15 Attorneys for Plaintiffs  
 ESTATE OF AMILCAR PEREZ LOPEZ, JUAN PEREZ,  
 MARGARITA LOPEZ PEREZ  
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17 UNITED STATES DISTRICT COURT  
 18 NORTHERN DISTRICT OF CALIFORNIA

19 ESTATE OF AMILCAR PEREZ  
 LOPEZ, by and through successors in  
 interest, JUAN PEREZ and  
 20 MARGARITA LOPEZ PEREZ;  
 JUAN PEREZ, individually;  
 21 MARGARITA LOPEZ PEREZ,  
 individually,  
 22 Plaintiffs,

Case No. 15-cv-01846 HSG (JSC)

**STIPULATION AND ORDER TO  
 MODIFY CASE MANAGEMENT  
 ORDER**

Trial Date: March 26, 2018

23 vs.

24 CHIEF OF POLICE GREG SUHR;  
 25 CITY AND COUNTY OF SAN  
 FRANCISCO; SAN FRANCISCO  
 POLICE DEPARTMENT; OFFICER  
 26 CRAIG TIFFE (Badge No. 1312);  
 OFFICER ERIC REBOLI (Badge No.  
 27 1651), and DOES 1 to 10,  
 Defendants.  
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1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 WHEREAS, the date set for trial in this matter is March 26, 2018; the pretrial  
3 conference is set for March 13, 2018, and significant related pretrial submission dates of  
4 February 20, 2018, and February 27, 2018 (Dkts. 78 and 96);

5 WHEREAS, the deadline to file dispositive motions is November 9, 2017;

6 WHEREAS, the deadline to complete expert discovery is November 15, 2017;

7 WHEREAS, the parties have completed extensive fact discovery, including  
8 witness depositions;

9 WHEREAS, the parties have completed expert and expert rebuttal disclosures,  
10 and have disclosed a combined 14 expert witnesses;

11 WHEREAS, the parties have met and conferred regarding fact discovery, expert  
12 discovery, outstanding discovery disputes, dispositive motions, and various scheduling  
13 and other issues related to this litigation;

14 WHEREAS, plaintiffs filed a motion for stay of proceedings (Dkt. 105);

15 WHEREAS, the parties submitted a stipulation and request to modify the case  
16 management order in order, including the reasons for the request (Dkt. 108);

17 WHEREAS, the parties convened on November 7, 2017, with the Court in a  
18 conference call to discuss the outstanding motions, stipulation, status of discovery,  
19 expert discovery, dispositive motions, and related issues (Dkt. 109);

20 WHEREAS, upon request of the parties, the Court referred this case to a  
21 magistrate judge for settlement conference (Dkt. 110);

22 WHEREAS, the Court denied plaintiffs' motion for stay (Dkt. 112);

23 WHEREAS, in accordance with the Court's instruction, the parties have met and  
24 conferred and propose the following modifications to the Court's case management  
25 order;

26 WHEREAS, thereafter the parties conferred with Magistrate Judge Beeler  
27 regarding a settlement conference. The parties and the court discussed the need for  
28 Plaintiffs to attend the proceedings in person. Given that they live in a remote region of

1 Guatemala, plaintiffs' counsel informed the court and defendants' counsel that the  
2 process to get the plaintiffs here is time-consuming, taking approximately 45 days to  
3 secure the necessary visa approval from the Department of Homeland Security and the  
4 US Embassy in Guatemala. Plaintiffs' counsel sought the court's permission to have the  
5 plaintiffs available by phone and to proceed with the settlement conference with their  
6 authority to settle the case. After discussing this issue in detail, the parties and the court  
7 agreed that the plaintiffs' presence was necessary to have a meaningful settlement  
8 conference. The court offered to schedule the settlement conference for January 19,  
9 2018 to allow plaintiffs the necessary time to obtain permission to attend the settlement  
10 conference. Plaintiffs' counsel and Defendants' counsel accepted the date for the  
11 proceeding. Plaintiffs' counsel has started the process of arranging for Plaintiffs'  
12 arrival in San Francisco for the settlement conference.

13 WHEREAS, the parties submitted a stipulation and [proposed] order to modify  
14 case management on November 20, 2017 (Dkt. 115);

15 WHEREAS, the parties received an electronic communication from the Court on  
16 November 20, 2017 instructing the parties to correct certain defects contained in the  
17 stipulation and [proposed] order to modify case management filed on November 20,  
18 2017;

19 WHEREAS, the parties convened on November 28, 2017, with the Court in a  
20 conference call to discuss the pending stipulation and [proposed] order to modify case  
21 management;

22 WHEREAS, the Court ordered the parties to file a revised stipulation and  
23 [proposed] order to modify case management;

24 THEREFORE, the parties propose to modify the case management order as  
25 follows:

- 26 1. extend the dispositive motion filing deadline to January 25, 2018, and set a  
27 briefing schedule which will allow the opposing papers to be filed on  
28 February 8, 2018 and the reply papers to be filed on February 15, 2018;

- 1 2. extend the dispositive motion hearing deadline to February 22, 2018 at 2:00  
2 p.m.;
- 3 3. extend the deadline for the completion of expert discovery to March 2, 2018;
- 4 4. reschedule the Pre-trial Conference for April 10, 2018 at 3 p.m.; and
- 5 5. reschedule the trial to April 16, 2018.

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7 **IT IS SO STIPULATED.**

8 Dated: November 30, 2017

DENNIS J. HERRERA  
City Attorney  
CHERYL ADAMS  
Chief Trial Deputy  
SEAN F. CONNOLLY  
JAMES F. HANNAWALT  
Deputy City Attorneys

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13 By: /s/ Sean Connolly  
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JAMES F. HANNAWALT  
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(including SAN FRANCISCO POLICE  
DEPARTMENT),  
GREG SUHR, CRAIG TIFFE, AND ERIC  
REBOLI

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17 Dated: November 30, 2017

CASILLAS & ASSOCIATES

18

19 By: /s/ Arnoldo Casillas  
ARNOLDO CASILLAS  
DENISSE O. GASTÉLUM

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21 Attorneys for Plaintiffs  
ESTATE OF AMILCAR PEREZ LOPEZ, BY  
22 AND THROUGH SUCCESSORS IN  
INTEREST, JUAN PEREZ AND MARGARITA  
23 LOPEZ PEREZ; JUAN PEREZ,  
INDIVIDUALLY; MARGARITA LOPEZ  
24 PEREZ, INDIVIDUALLY

1 **ORDER**

2 Based on the above stipulation, and for good cause appearing, IT IS ORDERED

3 as follows:

- 4
- 5 1. the dispositive motion filing deadline will be extended to January 25, 2018,
  - 6 2. the opposing papers to the dispositive motion will be filed on February 8,
  - 7 2018,
  - 8 3. the reply papers to the dispositive motion will be filed on February 15, 2018;
  - 9 4. the dispositive motion hearing deadline will be extended to February 22, 2018
  - 10 at 2:00 p.m.;
  - 11 5. the deadline for the completion of expert discovery will be extended to March
  - 12 2, 2018;
  - 13 6. the Pre-trial Conference will be rescheduled to April 10, 2018 at 3 p.m.; and
  - 14 7. the trial will be rescheduled to April 16, 2018.

15 SO ORDERED.

16 Dated: December 1, 2017

  
17 THE HONORABLE HAYWOOD S. GILLIAM JR.  
18 UNITED STATES DISTRICT JUDGE