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 8 Attorneys for Defendant  
 OFFICER DENNIS MALLY  
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10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA

12 RON FRANKLIN, an individual,

Case No. 4:17-cv-00789-HSG

13 Plaintiff,

**STIPULATION AND ~~PROPOSED~~ ORDER  
 CONTINUING MEDIATION COMPLIANCE  
 DEADLINE**

14 v.

15 CITY OF SAN LEANDRO, a municipal  
 16 corporation; DENNIS MALLY, individually  
 17 and in his capacity as an officer for the San  
 Leandro Police Department; and DOES 1-50,  
 18 inclusive, individually, jointly and severally,

19 Defendants.

**Hon. Haywood S. Gilliam, Jr.**

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 22 Plaintiff RON FRANKLIN and defendant OFFICER DENNIS MALLY respectfully request that  
 23 the mediation compliance deadline in this action be continued to March 30, 2019. Pursuant to Docket  
 24 No. 43, this matter was ordered to mediation on November 16, 2018, and mediation is to be completed  
 25 by February 1, 2019. On December 27, 2018 in Docket No. 44, the matter was referred to mediator  
 26 William Simmons for mediation.

27 Good cause exists for this continuance for the following reasons: Defendant has recently taken  
 28 the deposition of Plaintiff. However, due to scheduling conflicts, Plaintiff has scheduled Officer Mally's

1 deposition for February 22, 2019. The parties will be taking the depositions of two civilian witnesses on  
2 February 25, 2019. The parties agree that these three additional depositions should be taken before the  
3 mediation in order to have a meaningful mediation session. The parties are cooperating and have met  
4 and conferred with the mediator and have tentatively scheduled the mediation for March 11, 2019.  
5 Based on these reasons, the parties respectfully request that the Court continue the deadline to complete  
6 mediation to March 30, 2019.

7  
8 Respectfully submitted,

9 DATED: January 9, 2019

LAW OFFICES OF JOHN L. BURRIS

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11 By: /s/ K. Chike Odiwe

12 John L. Burris  
13 DeWitt Lacy  
14 K. Chike Odiwe  
15 Attorneys for the Plaintiff  
16 RON FRANKLIN

17  
18 DATED: January 9, 2019

BERTRAND, FOX, ELLIOT, OSMAN & WENZEL

19 By: /s/ Joanne Tran

20 Gregory M. Fox  
21 Joanne Tran  
22 Attorneys for the Defendant  
23 OFFICER DENNIS MALLY

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**ATTORNEY ATTESTATION**

I, Joanne Tran, am the ECF user whose identification and password are being used to file the foregoing documents. Pursuant to Civil Local Rule 5.1(i), I hereby attest that concurrence in the filing of these documents has been obtained from each of its Signatories.

Dated: January 9, 2019

/s/ Joanne Tran


Joanne Tran

**ORDER**

Having considered the parties' stipulation, the deadline to complete mediation is March 30, 2019.

IT IS SO ORDERED.

DATED: 1/10/2019

  
HAYWOOD S. GILLIAM, JR.  
UNITED STATES DISTRICT JUDGE