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5 Attorneys for Plaintiff
 PAUL ALFRED SINCERNY

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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 PAUL ALFRED SINCERNY,
 12
 Plaintiff,

13 vs.

14 City of Walnut Creek; Walnut Creek Police
 15 Department; Walnut Creek Police Sergeant
 Ryan Hibbs; Walnut Creek Police Officer
 16 Lee Herrington; Walnut Creek Police
 Officer Brookshire; Walnut Creek Police
 17 Officer Adams; Walnut Creek Police
 Officer Ashley Roskos; Walnut Creek
 18 Police Officer Njoroge; Walnut Creek
 Police Officer Steve Bertolozzi; Walnut
 19 Creek Police Detective Kim Gerstner;
 Walnut Creek Police Officer Scott
 20 Moorhouse; Walnut Creek Police Chief
 Tom Chaplin, Rachel Melia Smith and
 21 DOES 1-20,

22 Defendants.

Case No. C17-02616 HSG

**STIPULATION AND ORDER TO
 MODIFY BRIEFING SCHEDULE RE
 OCTOBER 12 HEARING ON
 DEFENDANTS' RULE 12 MOTION TO
 DISMISS**

23
 24 WHEREAS Defendants on August 25 filed and served a Rule 12(b)(6) Motion to
 25 Dismiss; and

26 WHEREAS on August 28, the said Motion to Dismiss was re-noticed for hearing to take
 27 place on October 12, 2017; and

28 STIPULATION AND ORDER TO MODIFY BRIEFING
 SCHEDULE RE DEFENDANTS' RULE 12 MOTION TO
 DIMSISS – C17-02616 HSG

1 WHEREAS under local court rules plaintiff's Opposition would normally be due on or
2 before Friday September 8; and

3 WHEREAS plaintiff's counsel is a solo practitioner and must travel to Los Angeles for a
4 hearing this week, and has depositions two out of the four business days next week following the
5 Labor Day Holiday, which prior business commitments substantially impair his ability to research
6 and draft a thorough Opposition by September 8;

7 NOW THEREFORE the parties, by and through their respective attorneys, have agreed
8 that good cause exists in the interest of the furtherance of justice that the briefing schedule on said
9 Motion to Dismiss be modified, and propose therefore to the Court that plaintiff's Opposition be
10 filed and served no later than Friday September 15, and the defendants' Reply briefing on or
11 before September 22, well before the re-noticed October 12 hearing date.

12 We hereby attest that concurrence in the filing of these documents has been obtained from
13 each of the other Signatories, which shall serve in lieu of their signatures on the document.

14 Dated: August 29, 2017

HELBRAUN LAW FIRM

15 By: /s/ Helbraun, David M

16 David M. Helbraun
17 Attorneys for Plaintiff
Paul Alfred Sincerny

18 Dated: August 29, 2017

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

19 By: /s/ Blechman, Noah G.

20 Noah G. Blechman
21 Attorneys for Defendants
22 City of Walnut Creek; Walnut Creek Police Sergeant
23 Ryan Hibbs; Walnut Creek Police Officer Lee
Herrington; Walnut Creek Police Officer Adams; and
Walnut Creek Police Officer Ashley Roskos

24 **ORDER**

25 PURSUANT TO THE PARTIES' STIPULATION, AND CAUSE EXSITING THEREFORE, IT
26 IS HEREBY ORDERED AS FOLLOWS:

27 Plaintiff's Opposition briefing with regard to defendants' pending Rule 12(b)(6) Motion to
28 Dismiss shall be filed and served no later than September 15, 2017, and defendants' Reply

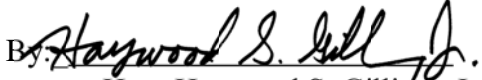
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briefing shall be filed and served no later than September 22, 2017.

IT IS SO ORDERED

Dated: 8/30/2017

By: 
Hon. Haywood S. Gilliam, Jr.
District Court Judge