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22 Attorneys for Defendants COUNTY OF SANTA  
 23 CLARA, TIMOTHY RYAN, VIRGIL KING,  
 24 DANIEL VASQUEZ, ERICA SMITH, and  
 25 WILLIAM CARTER

26 UNITED STATES DISTRICT COURT  
 27 FOR THE NORTHERN DISTRICT OF CALIFORNIA

28 DAVID LITMON, JR.,  
 Plaintiff,  
 v.  
 SANTA CLARA COUNTY, et al.,  
 Defendant.

CASE NO. C 00-20345 RMW (PR)  
**STIPULATION AND (PROPOSED)**  
**ORDER CONTINUING FURTHER CASE**  
**MANAGEMENT CONFERENCE**

Pursuant to Civil Local Rules 6-2 and 7-12, the parties submit the following STIPULATION  
 AND (PROPOSED) ORDER:

1 WHEREAS current counsel for Plaintiff were appointed by this Court on January 15, 2009.  
2 See Declaration of Richard J. McPalmer (McPalmer Decl.), ¶ 2.

3 WHEREAS an initial Case Management Conference was held on March 13, 2009. See  
4 McPalmer Decl. ¶ 3.

5 WHEREAS a further Case Management Conference was held on April 24, 2009. See  
6 McPalmer Decl. ¶ 4.

7 WHEREAS this Court requested at the April 24, 2009 Case Management Conference that the  
8 parties meet and confer on referral of the instant matter to a settlement conference before a  
9 Magistrate Judge. See McPalmer Decl. ¶ 5.

10 WHEREAS the parties thereafter met and conferred and agreed to have the matter referred to  
11 Magistrate Judge James for the purpose of holding a settlement conference. See McPalmer Decl. ¶ 6.

12 WHEREAS this Court entered an Order on June 23, 2009 (Docket No. 156) referring the  
13 matter to settlement conference before Magistrate Judge James and continuing a further Case  
14 Management Conference to August 28, 2009 which, presumably, would occur after the settlement  
15 conference. See McPalmer Decl. ¶ 7.

16 WHEREAS Magistrate Judge James entered an Order on July 14, 2009 (Docket No. 157)  
17 setting the matter for settlement conference on November 13, 2009. See McPalmer Decl. ¶ 8.

18 WHEREAS the parties await entry of a Stipulated Protective Order (Docket No. 154) to  
19 enable the exchange of further, limited discovery prior to the settlement conference. See McPalmer  
20 Decl. ¶ 9.

21 WHEREAS the parties have met and conferred and agreed to continue the further Case  
22 Management Conference to December 4, 2009 to allow for the completion of the settlement  
23 conference before Magistrate Judge James. See McPalmer Decl. ¶ 10.

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1 THE PARTIES HEREBY STIPULATE that the further Case Management Conference  
2 currently set for August 28, 2009 be continued to December 4, 2009.

3 IT IS SO STIPULATED.

4 DATED: July 28, 2009

5 GIBSON, DUNN & CRUTCHER LLP  
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7 CATHERINE B. TYLER, SBN 241439  
8 RICHARD J. MCPALMER, SBN 244962

9 /s/ Richard J. McPalmer

10 By: \_\_\_\_\_  
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17 /s/ Melissa Kinyalocets

18 By: \_\_\_\_\_  
19 Melissa Kinyalocets, Deputy County Counsel, SBN  
20 215814

21 Attorney for Defendants COUNTY OF SANTA  
22 CLARA, TIMOTHY RYAN, VIRGIL KING, DANIEL  
23 VASQUEZ, ERICA SMITH, and WILLIAM CARTER

24 PURSUANT TO STIPULATION, IT IS SO ORDERED.

25 Dated: 8/11/09

26 By: *Ronald M. Whyte*  
27 Ronald M. Whyte  
28 United States District Judge

Attestation to Concurrence in Filing

I, Richard J. McPalmer, am the ECF User whose identification and password are being used to file this Stipulation and (Proposed) Order, dated July 28, 2009. Pursuant to General Order 45, § 10, I hereby ATTEST that concurrence in this filing has been obtained from all signatories to this document.

Dated: July 28, 2009

GIBSON, DUNN & CRUTCHER LLP

By:   
Richard J. McPalmer, SBN 244962

Attorneys for Plaintiff DAVID LITMON, JR.

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