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IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

**VIET NGO,**

Plaintiff,

**v.**

**J. S. WOODFORD, et al.,**

Defendants.

Case No. C 03-2210 JF

**JOINT CASE MANAGEMENT  
 CONFERENCE STATEMENT  
 AND [PROPOSED] CASE  
 MANAGEMENT ORDER  
 CONTINUING CMC**

Hearing: October 17, 2008  
 Time: 10:30 a.m.  
 Courtroom: 3, 5th Floor  
 Judge: The Honorable  
 Jeremy Fogel

1 The parties jointly submit this Case Management Statement and Proposed Order:

2 Following a settlement conference held before Magistrate Judge Elizabeth Laporte on  
3 September 17, 2008, the parties reached an agreement to fully settle this litigation. A letter of  
4 understanding confirming the proposed settlement was signed by all counsel, and counsel for  
5 Defendants Woodford, Nienhuis, Bracy, McGarvey, and Knudsen is drafting a formal Settlement  
6 and Release Agreement. The parties believe that this Agreement will be signed and executed,  
7 and a Request for Dismissal filed by Plaintiff, within the next 60 days.

8 To that end, the parties request that the Court continue the Case Management Conference  
9 for 60 days to allow for execution of and compliance with the proposed Settlement and Release  
10 Agreement.

11 Dated: October 8, 2008

12 Respectfully submitted,

13 EDMUND G. BROWN JR.  
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14 DAVID S. CHANEY  
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15 FRANCES T. GRUNDER  
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17  
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19 */s/ Jay C. Russell*

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25 */s/ Kevin P. Burke*

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EDRINGTON, SHIRMER & MURPHY

*/s/ Timothy P. Murphy*

TIMOTHY P. MURPHY, ESQ.  
Attorneys for Defendant Wooten

**CASE MANAGEMENT ORDER**

Based upon the parties' Joint Case Management Conference Statement, and good cause appearing,

IT IS ORDERED THAT the Case Management Conference is continued to December 19, 2008 at 10:30 a.m.

Dated: October 14, 2008.

  
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HON. JEREMY FOGEL  
U.S. District Court Judge

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