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18 IN THE UNITED STATES DISTRICT COURT  
 19 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 20 SAN JOSE DIVISION  
 21

22 **VIET NGO,**

Plaintiff,

24 v.

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

26 Defendants.

Case No. C 03-2210 JF

**JOINT CASE MANAGEMENT  
 CONFERENCE STATEMENT  
 AND ~~PROPOSED~~ CASE  
 MANAGEMENT ORDER  
 CONTINUING CMC**

Hearing: June 19, 2009  
 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. Since that  
4 date, the parties have negotiated on terms for a formal Settlement and Release Agreement.  
5 Continuing discussions between the parties have resulted in a proposed final draft of the  
6 agreement, and it has recently been presented to the parties for execution. Plaintiff's  
7 incarceration may require additional time for his review and signature.

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

11 Dated: June 9, 2009

12 Respectfully submitted,  
13 EDMUND G. BROWN JR.  
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18  
19 */s/ Jay C. Russell*

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24 */s/ Connie Tsai*

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EDRINGTON, SCHIRMER & MURPHY LLP


*/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 July 24, 2009 at 10:30 a.m. June 18, 2009  
Dated: April \_\_\_\_\_, 2008.

  
\_\_\_\_\_  
HON. JEREMY FOGEL  
U.S. District Court Judge

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## CERTIFICATE OF SERVICE

Case Name: Ngo v. Woodford, et al.

No. C 03-2210 JF

I hereby certify that on **June 9, 2009**, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

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

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on **June 9, 2009**, at San Francisco, California.

M. Luna

Declarant



Signature