

1 **ROBERT R. POWELL ESQ**  
 2 **DENNIS R. INGOLS ESQ.**  
 3 **RUTH K. KALNITSKY ESQ.**  
 4 **LAW OFFICES OF ROBERT R. POWELL**  
 5 925 West Hedding Street  
 6 San Jose, California 95126  
 7 Ph: 408-553-0200  
 8 Fx: 408-553-0203

**\*E-FILED - 2/12/09\***

9 Attorneys for Plaintiffs  
 10 **ROBERT & LORI BELTRAN**  
 11 (by G.A.L.) **COBY BELTRAN**

12 **IN THE UNITED STATES DISTRICT COURT**  
 13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 14 (San Jose Division)

15 LORI BELTRAN, ROBERT BELTRAN, )  
 16 LORI BELTRAN as Guardian ad Litem )  
 17 For her minor child COBY BELTRAN )  
 18 )  
 19 Plaintiffs, )  
 20 vs. )  
 21 )  
 22 COUNTY OF SANTA CLARA, et al. )  
 23 )  
 24 Defendants. )  
 25 )

Case Number: CV 03-03767 RMW  
 Assigned Judge: Ronald M. Whyte  
 Dept. 6  
 STIPULATION AND ORDER  
 RE: SCHEDULING OF TRIAL AND  
 TRIAL RELATED DATES

Pursuant to the Order of the court filed January 22<sup>nd</sup>, 2009, requiring a stipulation regarding the scheduling of trial and trial related dates, the parties hereto, by and through their respective counsel, do hereby agree and stipulate as follows, and request the court order same;

GOOD CAUSE APPEARING,

1. The trial of this matter shall commence April 20<sup>th</sup>, 2009.
2. The pre-trial conference shall be held April 9<sup>th</sup>, 2009, at 9:00 a.m. and all required submissions to the court, including but not limited to the Joint Pre-Trial Statement, and all

1 other items and tasks specified in the court's Standing Order Re: Pre-Trial Preparation, shall  
2 occur at the times specified in the Standing Order Re: Pre-Trial Preparation. [Items listed in  
3 (B) of the Standing Order due March 27<sup>th</sup>, 2009 – Items listed in (C) of the Standing Order  
4 due April 3<sup>rd</sup>, 2009]

5 3. The expert discovery cut-off is extended to March 4<sup>th</sup>, 2009. Plaintiffs shall designate  
6 any rebuttal experts by February 13<sup>th</sup>, 2009.

7 4. The hearing on the Defendant's Motion for Summary Judgment currently scheduled for  
8 February 13<sup>th</sup>, 2009, is continued to February 27<sup>th</sup>, 2009, at 9:00 a.m. Plaintiffs' Opposition  
9 shall be filed by February 6<sup>th</sup>, 2009, and any reply to Plaintiffs' Opposition by February 13<sup>th</sup>,  
10 2009.

11 IT IS SO STIPULATED.

12  
13  
14 /S/ Robert R. Powell 1/23/09  
15 Robert R. Powell, Esq.  
16 Attorney for Plaintiffs

/S/Gregory Sebastinelli 1/23/09  
Gregory J. Sebastinelli  
Attorney for Defendants

17 **ORDER**

18 Based on the foregoing stipulation of the parties and good cause appearing therefore,  
19 the court does hereby adopt the stipulation of the parties as an order of the court. Plaintiff's  
20 motion to bifurcate trial is hereby continued to 2/27/09 @ 9:00 a.m.  
21

22 IT IS SO ORDERED.

23 Date: 2/12/09

24 

25 JUDGE RONALD M. WHYTE  
U.S.D.C. Northern California  
San Jose Division