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12 (*Pro Hac Vice*) Attorney for Defendant,
 13 TASER INTERNATIONAL, INC.

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

17 EVELYN ROSA and ROBERT ROSA,
 individually and as the personal
 18 representatives of MICHAEL ROBERT
 ROSA, deceased,

19 Plaintiffs,

20 vs.

21 CITY OF SEASIDE and SEASIDE POLICE
 22 DEPARTMENT, CITY OF DEL REY
 OAKS AND DEL REY OAKS POLICE
 23 DEPARTMENT, MONTEREY
 PENINSULA AIRPORT DISTRICT AND
 24 MONTEREY PENINSULA AIRPORT
 POLICE DEPARTMENT, CITY OF
 25 MONTEREY AND MONTEREY POLICE
 DEPARTMENT, COUNTY OF
 26 MONTEREY AND MONTEREY COUNTY
 SHERIFF'S DEPARTMENT, DEL REY
 27 OAKS POLICE CHIEF RON LANGFORD,
 MONTEREY POLICE CHIEF CARLO
 28 CUDIO, MONTEREY SHERIFF MIKE

Case No.: C 05-03577 JF/HRL

~~Howard R. Lloyd, United States Magistrate Judge~~

**JOINT STIPULATION TO
 CONTINUE THE TRIAL
 DATE AND ALL RELATED
 DEADLINES AND
 [PROPOSED] ORDER**

1 KANALAKIS AND SEASIDE POLICE)
CHIEF ANTHONY SELLECITO, SEASIDE)
2 POLICE OFFICERS MATTHEW DOZA,)
NICK BORGES, AND CHARLTON, DEL)
3 REY OAKS POLICE OFFICER RUSSELL)
VANZANTEN, AIRPORT POLICE)
4 DEPARTMENT OFFICER JEFF POWELL,)
MONTEREY POLICE OFFICER KATIE)
5 REYES, MONTEREY COUNTY)
SHERIFF'S DEPUTIES JOE PALAZZOLO)

6)
7)
8 AND IRONS, TASER INTERNATIONAL,)
INC., and DOES 1 TO 10,)

9 Defendants.)
10)

11 **TO THE HONORABLE COURT:**

12 IT IS HEREBY STIPULATED by and between the parties to the above-titled
13 action, by and through their respective attorneys of record, and pursuant to United
14 States District Court - Northern District of California Local Rules 7-12 and 40-1, as
15 follows:

16 The Court, in the case management conference of July 18, 2008, set the
17 following dates and deadlines in the litigation of this matter:

18 Discovery Cut-Off date is currently set for April 17, 2009;

19 Dispositive Motion Hearing Cut-Off date is currently June 5, 2009;

20 Pre-Trial Conference is currently June 26, 2009 at 11:00 a.m.;

21 Trial is currently set for July 17, 2009 at 1:30 p.m.

22 Thus, based on the dates that the Court has set, and under Fed. R. Civ. P. 26
23 and Northern District of California Local Rule 26-2, the following deadlines would
24 appear to apply:

25 Expert Designation and Reports would be due April 17, 2009;

26 Expert Discovery Cut-Off would be April 17, 2009;

27 Counter-Designation would be due by May 18, 2009.

28 The parties, by and through their respective attorneys of record, stipulate to the

1 continuance of these dates. GOOD CAUSE EXISTS to continue the trial date, and
2 all related dates and deadlines, in the above-entitled action as a result of the
3 following:

- 4 1. Discovery, particularly expert discovery, is not yet complete in this matter.
5 While the parties are working diligently on the matter, the issues in dispute in
6 this case require additional time for proper analysis and completion of the
7 depositions of the parties' experts.
- 8 2. At present, the trial calendars of counsel present significant difficulties in
9 completing discovery under the current trial date and related deadlines.
10 Additional time is needed to complete the amount of work necessary for expert
11 witness discovery after the expert reports are issued, but prior to trial, and in
12 order to allow for the proper preparation of pre-trial documents and motions.
- 13 3. Plaintiffs' counsel stipulates to a continuance of the trial date to September 12,
14 2009 or to September 4, 2009.

15 Accordingly, the parties, by and through their respective attorneys of record,
16 hereby respectfully request that this Honorable Court **continue the trial date of the**
17 **above-entitled matter to September 12, 2009**, or – *in the alternative to September*
18 *4, 2009*. While defense counsel is agreeable to a date and time thereafter, as the
19 Court deems appropriate, plaintiffs' counsel stipulates only to the dates as proposed
20 hereinabove.

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It is further agreed by and between the parties that this stipulation may be signed in counterpart and that a facsimile or electronic signature will be as valid as an original signature.

IT IS SO STIPULATED.

Dated: March 13, 2009

MANNING & MARDER
KASS, ELLROD, RAMIREZ LLP

By: /s/ Mildred K. O'Linn
Mildred K. O'Linn
Attorneys for Defendant
TASER INTERNATIONAL, INC.

DATED: March 13, 2009

THE LAW OFFICES OF JOHN BURTON

By: /s/ John Burton
John Burton
Attorneys for Plaintiffs,
EVELYN ROSA and ROBERT ROSA,
individually and as the personal
representatives of MICHAEL ROBERT
ROSA, deceased.

DATED: March 13, 2009

WILLIAMSON & KRAUSS

By: /s/ Peter M. Williamson
Peter M. Williamson
Attorneys for Plaintiffs,
EVELYN ROSA and ROBERT ROSA,
individually and as the personal
representatives of MICHAEL ROBERT
ROSA, deceased.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED AS FOLLOWS:

1. The Expert Designation and Reports deadline is continued to: 6/12/09
2. The Expert Counter-Designation deadline is continued to: 7/10/09
3. The Fact Discovery Cut-Off date is continued to: 6/12/09
4. The Expert Discovery Cut-Off date is continued to: 6/12/09
5. The Dispositive Motion Filing Cut-Off date is continued to: 6/26/09
4. The Dispositive Motion Hearing Cut-Off date is continued to: 7/31/09
5. The Pre-Trial Conference date is continued to: 8/21/09
6. The Trial date is continued to: ~~September 12, 2009~~ 9/11/09.

IT IS SO ORDERED.

DATED: 3/16/09, 2009



Hon. Howard R. Lloyd
UNITED STATES MAGISTRATE JUDGE
JEREMY FOGEL
United States District Judge