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 21 CITY OF MILPITAS; THOMAS NISHISAKA; CHARLES LAWSON;
 22 ERIC EMMANUELLE; JOHN BUCHANOK; HENRY KWONG; KEVIN MOSQUZA;
 23 DAVID MORRIS; RAJ MAHARAJ; MARK DOYLE; PHEAK KOR

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Attorneys for Plaintiff
 FRANK PALLADINI, dba
 LITTLE FRANKS BAR & GRILL

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

FRANK PALLADINI, an individual, dba Little
 Franks Bar & Grill,

Plaintiff,

v.

CITY OF MILPITAS; THOMAS NISHISAKI,
 individually, and as his official capacity as Chief
 of Police; CHARLES LAWSON, individually,
 and as his official capacity as Chief of Police and
 City Manager; ERIC EMMANUELLE,
 individually, and as his capacity as a police
 officer (#178); JOHN BUCHANOK, individually,
 and as his capacity as a police officer (#233);
 HENRY KWONG, individually, and as his
 capacity as a police officer (#190); KEVIN
 MOSQUZA, individually, and as his capacity as a
 police officer (#211); DAVID MORRIS,
 individually, and as his capacity as a police
 officer (#235); RAJ MAHARAJ, individually,
 and as his capacity as a police officer (#216);
 MARK DOYLE, individually, and as his capacity
 as a police officer (#191); PHEAK KOR,
 individually, and as his capacity as a police
 officer; and DOES 1-100,

Case No: C06-00779 JW (HRL)

**STIPULATION AND [PROPOSED]
 ORDER ALLOWING EXTENSION OF
 TIME FOR DISCOVERY**

State Court Complaint Filed: December 16, 2005
 Removal Filed: February 3, 2006
 Trial Date: November 10, 2008

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Defendants.

Comes now PLAINTIFF FRANK PALLADINI, dba LITTLE FRANKS BAR AND GRILL (hereinafter "PLAINTIFF") and DEFENDANTS CITY OF MILPITAS, THOMAS NISHISAKA, CHARLES LAWSON, ERIC EMMANUELLE, JOHN BUCHANOK; HENRY KWONG, KEVIN MOSQUZA, DAVID MORRIS, RAJ MAHARAJ, MARK DOYLE, PHEAK KOR (hereinafter "DEFENDANTS") who submit the following Stipulation and Proposed Order:

WHEREAS, The current discovery cut-off date is October 6, 2008.

WHEREAS, Due to the trial schedule of Defendant counsel and the large quantity of depositions still needed to be taken by both Parties, an extension in the Discovery Cut-off date is requested and stipulated to.

WHEREAS, Plaintiff counsel and Defense counsel, after meeting and conferring, have agreed to the following,

IT IS HEREBY STIPULATED and agreed to below:

- That the Discovery Cut-Off date be extended to December 1, 2008.

IT IS SO STIPULATED.

Dated: September 23, 2008

Respectfully submitted,
LAW OFFICE OF JAMES M. BARRETT

By: _____ /S/
James M. Barrett
Attorneys for Plaintiff
FRANK PALLADINI, dba LITTLE FRANKS
BAR AND GRILL

Dated: September 23, 2008


Respectfully submitted,
MEYERS, NAVE, RIBACK, SILVER & WILSON

By _____ /S/
Tricia L. Hynes
Counsel for DEFENDANTS CITY OF MILPITAS, THOMAS
NISHISAKI, CHARLES LAWSON,

ERIC EMMANUELLE, JOHN BUCHANOK, HENRY
KWONG, KEVIN MOSQUZA, DAVID MORRIS, RAJ
MAHARAJ, MARK DOYLE, and PHEAK KOR

IT IS SO ORDERED . This extension does not modify any other deadlines or hearings previously set by the Court.

Dated: October 14, _____, 2008



HONORABLE JAMES WARE
U. S. DISTRICT COURT, NORTHERN
DISTRICT

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