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Attorneys for Plaintiffs
 9 RITA BALDWIN; and J.C., by and through
 his Guardian Ad Litem, RITA BALDWIN
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11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT**
 13 **SAN JOSE DIVISION**

14 RITA BALDWIN; and J.C., by and through his
 15 Guardian Ad Litem, RITA BALDWIN,
 16 Plaintiffs,
 17 v.
 18 CHARLES DANGERFIELD; JASON LARA;
 JOHN JEFFERSON; MIKE NELSEN; and
 19 DOES 1-25, inclusive,
 20 Defendants.

Case No. CV-06-2467 JF (HRL)

**STIPULATED REQUEST TO VACATE
 TRIAL DATE AND SCHEDULE TRIAL
 SETTING CONFERENCE;
 [PROPOSED] ORDER**

1 Pursuant to Local Rule 6-2, Plaintiffs Rita Baldwin and J.C. and Defendants Charles
2 Dangerfield, Jason Lara, John Jefferson, and Mike Nelsen, by and through their respective
3 counsel of record, stipulate and agree as follows:

4 WHEREAS, trial of the above-captioned matter is currently scheduled for October 24,
5 2008;

6 WHEREAS, counsel for Plaintiffs has another trial scheduled to begin on October 20,
7 2008;

8 WHEREAS, counsel for Plaintiffs proposed continuing trial for a few weeks to
9 November 7 or 14, 2008;

10 WHEREAS, Defendants are not available for a trial in November; and

11 WHEREAS, the parties have met and conferred and hereby jointly request a trial setting
12 conference on September 19, 2008, or as soon thereafter as is convenient for the Court;

13 THEREFORE, it is hereby stipulated and agreed by Plaintiffs and Defendants, through
14 their respective counsel of record, as follows:

15 The trial date is vacated. A new trial date will be chosen during the trial setting
16 conference on September 19, 2008, or as soon thereafter as is convenient for the Court.

17 IT IS SO STIPULATED.

18 Dated: September 4, 2008

Burton, Volkmann & Schmal, LLP

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By: /s/ Timothy J. Schmal
Timothy J. Schmal

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Attorneys for Defendant Mike Nelson,
individually and in his capacity as a police
officer for the City of Morgan Hill

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24 Dated: September 4, 2008

Deputy Attorney General
Office Of The Attorney General
State of California

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By: /s/ Troy B. Overton
Troy B. Overton

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Attorneys for Defendants Charles Dangerfield,
Jason Lara and John Jefferson

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Dated: September 4, 2008

Mayer Brown LLP

By: /s/ Lee H. Rubin
Lee H. Rubin

Attorneys for Plaintiffs Rita Baldwin and J.C.,
by and through his Guardian Ad Litem, Rita
Baldwin


*Filer's Attestation: Pursuant to General Order No. 45, Section X(B), Rena Chng hereby attests
that the signatories' concurrence in the filing of this document has been obtained.*

[PROPOSED] ORDER

Pursuant to stipulation of the parties, the trial date is vacated. A new trial date will be
chosen at the trial setting conference on 9/19, 2008. at 1:30 p.m.

IT IS SO ORDERED.

Date: 9/8/08



Honorable Jeremy Fogel
United States District Judge