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8 Attorneys for Plaintiffs
 9 RITA BALDWIN and J.C., by and through his
 Guardian Ad Litem, RITA BALDWIN
 10

11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT**
 13 **SAN JOSE DIVISION**

14 RITA BALDWIN and J.C., by and through is
 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)

**STIPULATION RE: PLAINTIFFS’
 ADMINISTRATIVE MOTION FOR
 LEAVE TO FILE SURREPLY TO
 DEFENDANTS’ MOTION *IN LIMINE* TO
 LIMIT DAMAGES FOR ENTRY INTO
 PLAINTIFFS’ BACKYARD TO
 NOMINAL DAMAGES [L.R. 7-11];
 {PROPOSED} ORDER**

Date: February 23, 2009 (Pretrial Conference)
 Time: 11:00 a.m.
 Ctrm: 3, 5th Floor
 Judge: Hon. Jeremy Fogel

Trial: February 27, 2009

1 WHEREAS, at the January 16, 2009 pretrial conference, the Court directed the parties to
2 address the general availability of attorneys' fees in this case in the Opposition to and Reply in
3 support of Defendants' Motion *In Limine* To Limit Damages For Entry Into Plaintiffs' Backyard
4 To Nominal Damages (the "Motion To Limit Damages"); and

5 WHEREAS, as a result of that briefing schedule, the issue of attorneys' fees was first
6 addressed in Plaintiffs' Opposition to the Motion To Limit Damages; and

7 WHEREAS, Defendants' Reply to the Opposition to the Motion To Limit Damages
8 included an argument in opposition to Plaintiffs' argument on the issue of attorneys' fees;

9 IT IS HEREBY STIPULATED, by and between the undersigned, subject to the approval
10 of the Court, that Plaintiffs may file a surreply to Defendants' Motion To Limit Damages. The
11 surreply is not to exceed five (5) pages and shall be filed within three (3) court days of the entry
12 of this Order.

13 Dated: February 6, 2009

Mayer Brown LLP

14 By: 

15 Jason A. Wrubleski

16 *Attorneys for Plaintiffs Rita Baldwin and J.C.,
17 by and through his guardian ad litem, Rita
Baldwin*

18 Dated: February 6, 2009

Office of the Attorney General for the State of
California

19 By: 

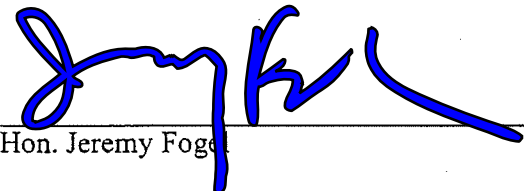
20 Troy Overton

21 *Attorneys for Defendants Charles Dangerfield,
22 Jason Lara, and John Jefferson*

23 **[PROPOSED] ORDER**

24 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

25
26
27 Dated: February 23, 2009


28 Hon. Jeremy Fogel