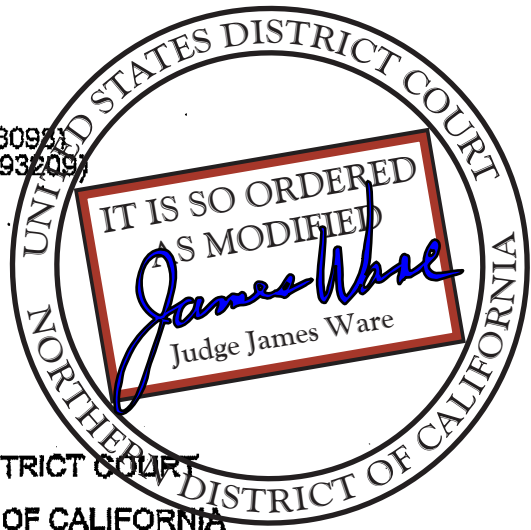


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Attorneys for CITY OF SAN JOSE



8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

11 EMILY BRIGGS,
 12 Plaintiff,
 13 v.
 14 CITY OF SAN JOSE,
 15 Defendant.

Case Number: C07-04512 JW
**STIPULATION AND ORDER TO
 VACATE TRIAL DATE**

17 With the assistance of Magistrate Trumbull, the parties to the above-entitled matter,
 18 Emily Briggs ("Plaintiff") and Defendant City of San Jose, by and through the undersigned
 19 counsel of record have undertaken efforts to resolve the above-captioned matter. Those
 20 efforts include upcoming medical and psychological evaluations of Plaintiff and Plaintiff's
 21 efforts to resolve her workers compensation claim and retirement application. Based on
 22 the above, the parties, by and through their counsel of record, hereby stipulate that the
 23 December 1, 2009 trial date in the above-entitled matter be vacated.

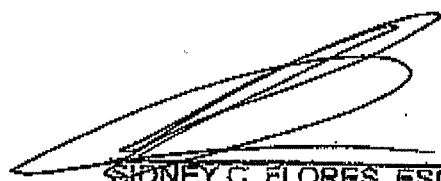
24 The parties have scheduled a further settlement conference with Magistrate
 25 Trumbull in this matter for December 9 and a status conference before this Court on
 26 December 14, 2009. At the December 14, 2009 status conference, the parties hereby
 27 agree to establish a new trial date if the matter remains unresolved.

28

1 The parties further stipulate that the dates selected on December 14, 2009 shall include a
2 new deadline for hearing on dispositive motions.

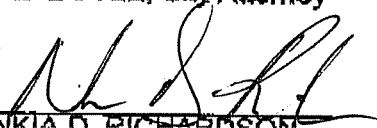
3
4 **IT IS SO STIPULATED.**

5
6
7 DATED: 10/13/2009


SIDNEY C. FLORES, ESQ
Attorney for Plaintiff

RICHARD DOYLE, City Attorney

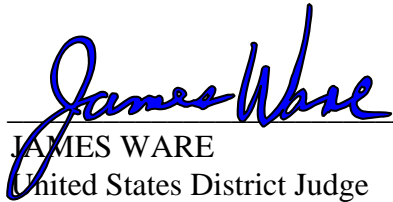
10
11
12 DATED: 10/13/2009

By 
NKIA D. RICHARDSON
Deputy City Attorney
Attorneys for Defendant

13
14
15 **ORDER**

16 The Court finds good cause to GRANT the parties' Stipulation to VACATE all
17 pretrial and trial dates at this time to facilitate the parties' settlement efforts. The Court sets
18 **December 14, 2009 at 10 a.m.** as a Status Conference date with the parties. On or before
19 **December 10, 2009**, the parties shall file a Joint Status Conference Statement to update the
20 Court on their settlement efforts. If there is no settlement, the parties shall propose a trial
21 schedule in their Joint Statement.
22
23

24
25 Dated: October 27, 2009


JAMES WARE
United States District Judge