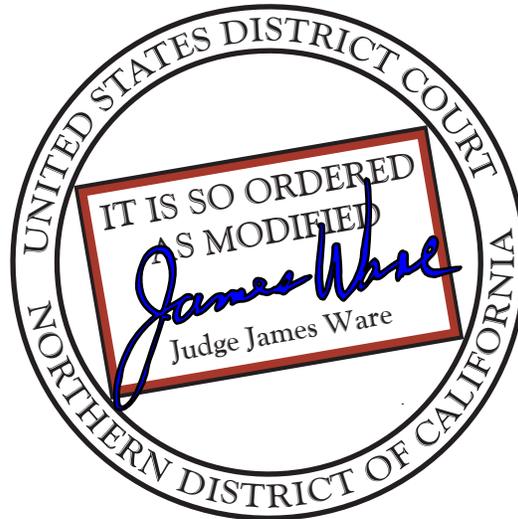


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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

EMILY BRIGGS,
Plaintiff,
v.
CITY OF SAN JOSE,
Defendant.

Case Number: C07-04512 JW

**STIPULATION AND ORDER
CONTINUING STATUS
CONFERENCE DATE
AS MODIFIED**

With the assistance of Magistrate Trumbull, the parties to the above-entitled matter, Emily Briggs ("Plaintiff") and Defendant City of San Jose, by and through the undersigned counsel of record continue to try to resolve the above-captioned matter. As of the most recent settlement conference date on January 15, 2010, Plaintiff's counsel reported that he is awaiting one last report before initiating settlement negotiations to resolve Plaintiff's workers compensation claim, which Plaintiff believes will result in the resolution of the above-captioned action. Plaintiff is scheduled to attend a mandatory settlement conference in her related workers compensation action on the morning of January 25, 2010. Based on the above, Plaintiff has proposed that the parties continue the settlement.

1 conference and vacate the January 25 status conference in the above case. Defendant
2 City of San Jose does not oppose this proposal provided a date is also scheduled shortly
3 thereafter for the parties on February 8, without further continuance.

4 The parties have scheduled a further settlement conference with Magistrate
5 Trumbull in this matter for February 1 and request a status conference before this Court
6 be scheduled on February 8, 2010. At the time of the February 8, 2010 status conference,
7 the parties hereby agree to establish a new trial date if the matter remains unresolved so
8 that the case may begin moving forward. To that end, the parties further stipulate that the
9 dates selected on February 8, 2010 shall include a new deadline for hearing on dispositive
10 motions.

11 **IT IS SO STIPULATED.**

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13
14 DATED: 1/19/2010


SIDNEY C. FLORES, ESQ
Attorney for Plaintiff

RICHARD DOYLE, City Attorney

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18 DATED: 1/19/2010

By


NKIA D. RICHARDSON
Deputy City Attorney
Attorneys for Defendant

19
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22 ***** ORDER ******

23 Based on the parties' representation, the Court finds good cause to continue the January
24 25, 2010 Status Conference to **February 22, 2010 at 10 a.m.** On or before **February 12,**
25 **2010**, the parties shall file a Joint Status Report. In the event that there is no settlement by
26 February 12, the parties shall include a proposed schedule on how the case should proceed.

27 Dated: January 20, 2010

28 
JAMES WARE
United States District Judge