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3 Oakland, California 94612
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5 Attorneys For Defendant
SAMANTHA FEIN
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE

10 THOMAS VAN ZANDT,) Case No.: C07-04987 JF (RS)
11 Plaintiff,)
12 vs.) **STIPULATION AND [PROPOSED]**
13) **ORDER CONTINUING TRIAL AND**
14 CITY OF SAN JOSE, DANIEL PFEIFER,) **SETTING NEW PRETRIAL DATES**
15 MARK NATIVIDAD, ANTHONY WEIR,)
16 OFFICER HIGGINS, individually and as)
employees of the CITY OF SAN JOSE,)
17 TARGET STORES, INC., WESTFIELD LLC,)
PROFESSIONAL SECURITY)
CONSULTANTS, and DOES 1-10, inclusive,)
Defendants.)

18
19 The parties hereto, by and through their undersigned counsel, request that the trial in this
20 action and all related pretrial deadlines be continued. The reason for the continuance is that
21 Defendant Samantha Fein recently suffered a major injury in a ski accident requiring surgery
22 and a significant recovery period. As a result of this injury, Ms. Fein is unavailable for
23 deposition prior to the time dispositive motions are due to be filed under the current case
24 schedule (April 21, 2009).

25 The parties respectfully request that the Court vacate the July 24, 2009 trial date and all
26 related pretrial deadlines, and order a new trial and pretrial schedule as follows:

- 27 • July 27, 2009 - fact discovery cut off
28

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- 1 • August 17, 2009 - dispositive motions must be filed
- 2 • September 14, 2009 - expert disclosures due
- 3 • October 5, 2009 - expert discovery cut off
- 4 • Pretrial conference - October 23, 2009 at 11:00 a.m.
- 5 • Trial - November 13, 2009, at 1:30 p.m.

6 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

7 Dated: April 3, 2009 HAAPALA, THOMPSON & ABERN, LLP

8
9 By: /s/ Rebecca S. Widen
10 Rebecca S. Widen
11 Attorneys For Defendant
SAMANTHA FEIN

12 Dated: April 3, 2009 LAW OFFICES OF ROBERT R. POWELL

13
14 By: 
15 Robert R. Powell
16 Attorneys For Plaintiff

17 Dated: April 3, 2009 RICHARD DOYLE
18 CITY ATTORNEY

19 By: _____
20 Michael R. Groves, Senior Deputy City Attorney
21 Attorneys For Defendants
22 CITY OF SAN JOSE, OFFICER DANIEL
PFEIFER, OFFICER MARK NATIVIDAD,
OFFICER ANTHONY WEIR, and OFFICER
HIGGINS

23 Dated: April 3, 2009 MANNING & MARDER
24 KASS, ELLROD, RAMIREZ LLP

25 By: _____
26 Sejal Ojha
27 Attorneys For Defendants
PROFESSIONAL SECURITY CONSULTANTS,
DANIEL GARCIA and RYAN SCOTT

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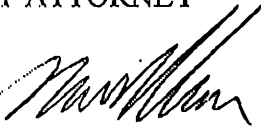
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Dated: April 3, 2009 HAAPALA, THOMPSON & ABERN, LLP

By: /s/ Rebecca S. Widen
Rebecca S. Widen

Attorneys For Defendant

SAMANTHA FEIN

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LAW OFFICES OF ROBERT R. POWELL

By: _____
Robert R. Powell
Attorneys For Plaintiff

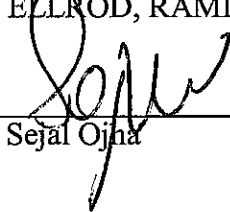
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CITY ATTORNEY

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ORDER

Pursuant to stipulation and for good cause shown, IT IS SO ORDERED.

Dated: 4/9/09



Honorable Jeremy Fogel
United States Judge