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 20

\*E-FILED - 9/11/09\*

21 **UNITED STATES DISTRICT COURT**  
 22 **NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

23 **JUNE SHELDON,**

24 Plaintiff,

25 v.

26 The Trustees of the San José/Evergreen  
 Community College District: **BALBIR**  
**DHILLON,** et al.,

27 Defendants.

Case No. 5:08-cv-03438-RMW

28 **STIPULATION AND [ ]**  
**ORDER TO EXTEND THE DISCOVERY,**  
**PRETRIAL AND TRIAL DATES**

Hon. Ronald M. Whyte

1 WHEREAS the Court heard the Defendants' Motions to Dismiss on January 9, 2009 and took  
2 the matter under submission;

3 WHEREAS the Court has yet to issue a ruling on Defendants' Motions to Dismiss;

4 WHEREAS the Court issued an Order on March 5, 2009 to reset the deadline for mediating this  
5 matter until 60 days after the date upon which the Court enters its order regarding the Defendants'  
6 Motions to Dismiss;

7 WHEREAS the Court issued an Order following the initial case management conference that  
8 set the following dates for discovery, dispositive motions and trial: "The parties will designate expert  
9 witnesses by June 12, 2009. All discovery closes on August 7, 2009. The last day for the Court to  
10 hear dispositive motions is September 4, 2009. Trial will begin on October 5, 2009."

11 WHEREAS the parties agree that it would be futile to conduct discovery and other pretrial  
12 matters prior to receiving the Court's ruling on the pending motion to dismiss;

13  
14 NOW THEREFORE, IT IS HEREBY STIPULATED, AGREED, AND REQUESTED by and  
15 between the parties, by and through their respective undersigned counsel, that the Court vacate the  
16 currently scheduled discovery, dispositive motions and trial dates and schedule a further case  
17 management conference to reschedule these deadlines 60 days after the Court enters its ruling on the  
18 Defendants' Motions to Dismiss.

19  
20 Dated: June 4, 2009

ALLIANCE DEFENSE FUND

By: /s/David J. Hacker

David J. Hacker

David A. French

Attorneys for JUNE SHELDON

21  
22  
23  
24 Dated: June 4, 2009

STUBBS & LEONE

By: /s/Katherine Alberts

Kathleen Darmagnac

Katherine Alberts

Attorneys for Defendants BALBIR DHILLON,  
26 MARIA FUENTES, AUTUMN GUTIERREZ,  
27 RICHARD HOBBS, RONALD J. LIND, RANDY  
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1 OKAMURA, RICHARD K. TANAKA, ROSA G.  
2 PEREZ, ANITA L. MORRIS, MICHAEL L.  
3 BURKE, AND LEANDRA MARTIN

4 I hereby attest that I have conferred with Defendants' counsel, Ms. Alberts, and I have her  
5 permission to place her ECF signature on this document.

6 /s/David J. Hacker  
7 DAVID J. HACKER  
8 Attorney for Plaintiff

9 **[ ] ORDER**

10 IT IS HEREBY ORDERED that the current discovery, dispositive motions and trial dates are  
11 vacated and that the Court will hold a further case management conference to reschedule these  
12 deadlines 60 days after the Court enters its ruling on the Defendants' Motions to Dismiss.

13 Dated: September 11, 2009

14   
15 **Hon. Ronald M. Whyte**  
16 **UNITED STATES DISTRICT JUDGE**

17 **\*The Court hereby vacates the Pretrial Conference and Trial date and will set a Case**  
18 **Management Conference for December 11, 2009 @ 10:30 a.m. The parties may contact the**  
19 **Courtroom Clerk, Jackie Lynn Garcia @ 408-535-5375 if, the Court has not issued its**  
20 **ruling on the pending motion.**